行政院所屬各機關因公出國人員出國報告書
（出國類別：出席國際會議）

出席 2017 年 APEC 關務程序次級委員會第 2 次會議及相關會議報告

行政院暨所屬各機關出國報告提要

出國報告名稱：出席 2017 年 APEC 關務程序次級委員會第 2 次會議及相關會議報告

出國計畫主辦機關：財政部關務署

出國人：財政部關務署 稽核　　　　　袁如逸 電話：02-25505500 轉 2960
　　　　財政部關務署 設計員　　　　范翔智 電話：02-25505500 轉 2445

出國類別：□1 考察 □2 進修 □3 研究 □4 實習 ■5 其他（出席國際會議）

出國期間：106 年 8 月 15 日至 8 月 25 日

出國地區：越南胡志明市

報告日期：106 年 11 月 17 日

關鍵詞：APEC、SCCP、Customs、WTO TFA、Single Window、AEO、e-Commerce、IPR、Supply Chain Connectivity、Rules of Origin、GDS、關務程序次級委員會、海關、世界貿易組織貿易便捷化協定、單一窗口、優質企業、跨境電子商務、智慧財產權、供應鏈連結、原產地規則、全球資料標準。

內容摘要：本次會議期間出席 APEC 關務程序次級委員會（Sub-Committee on Customs Procedures, SCCP）第 2 次會議、貿易便捷化研討會（Workshop on Enhancement of Stakeholder Engagement in the Implementation of WTO Trade Facilitation Agreement）、單一窗口研討會（Workshop on Single Window）、APEC 海關與私部門對話（APEC Customs-Business Dialogue, ACBD）、APEC 原產地規則公私部門對話（APEC Public Private Dialogue on Rules of Origin, PPD on ROO）、全球資料標準研討會（Workshop on Application of Global Data Standard for Supply Chain Connectivity）、APEC 供應鏈連結聯盟（APEC Alliance for Supply Chain Connectivity, A2C2）第 7 次會議及智慧財產權研討會（Workshop on Trademark-Infringement Determinations in a Border-Enforcement Context）等會議。各會員經濟體持續關注 WTO 貿易便捷化協定、2017-2020 年第 2 階段供應鏈連結架構行動計畫（Phase Two of Supply Chain Connectivity Framework Action Plan 2017-2020, SCFAP II）、跨境電子商務、優質企業、單一窗口及智慧財產權等議題，其中以提升貿易便捷化協定實施成效為熱門討論主題，包括促進公私部門參與，或是運用國際組織提供之工具與各會員經濟體的技術協助及能力建構等方法，以強化該協定實行成效。

出席 2017 年 APEC 關務程序次級委員會第 2 次會議及相關會議報告

目錄

壹、會議時間

106 年 8 月 16 日至 24 日

貳、會議地點

越南胡志明市

參、我方與會代表

關務署關務查緝組 稽核　袁如逸
關務署關務資訊組 設計員 范翔智

肆、APEC 關務程序次級委員會（APEC Sub-Committee on Customs Procedures，SCCP）會議

一、會議主席

越南海關副總局長 Dr.Vu Ngoc Anh

二、出席代表

澳洲、汶萊、智利、中國、香港、印尼、日本、韓國、馬來西亞、紐西蘭、巴布亞紐幾內亞、秘魯、菲律賓、俄羅斯、新加坡、中華台北、泰國、美國、越南、貿易投資委員會（Committee on Trade and Investment，CTI）主席、CTI 貿易便捷化主席之友代表（Friend of the CTI Chair on Trade Facilitation）、APEC 秘書處政策支援小組（Policy Support Unit, PSU）及世界關務組織（World Customs Organization, WCO）代表。

三、會議紀要

（一）SCCP 主席致開幕詞
主席首先歡迎全體與會代表，誠摯感謝各會員經濟體對於本（2017）年第 1 次 SCCP 會議的支持與貢獻，強調透過分享經驗與提供互助等方式持續推動 SCCP 活動之重要性，預祝本次會議圓滿成功，並請與會代表依序自我介紹，最後全體與會代表合影完成會議開幕儀式。

（二）議程採認
主席逐項確認會議草案議程項目，全體與會代表均無異議採認議程（附件 1）。

（三）2017 年 SCCP 第 1 次會議成果回顧
首先主席回顧本年 SCCP 第 1 次會議成果，強調該會議對 CTI 之重要貢

獻，並指出「實行 WTO 貿易便捷化協定」、「供應鏈連結架構」、「單一窗口」、「優質企業」、「資訊科技與風險管理」、「智慧財產權」、「跨境電子商務」、「共同行動計畫」及「與 APEC 其他委員會、次級論壇及工作小組合作」等 SCCP 重要議題成果。

APEC 秘書處報告 APEC 專案計畫之預算及基金資助標準等相關資訊，同時說明新的次級基金（sub funds），並鼓勵更加善用 APEC 次級基金，日本亦發言提醒會員經濟體應踴躍運用 APEC TILF 基金，以促進會員經濟體間之投資貿易自由化及便捷化。

（四）第 2 次資深官員會議（SOM2）及 CTI 成果報告

CTI 主席報告本年 SOM2 重點成果，強調 CTI 與 SCCP 間協力合作之重要性，並以亞太自由貿易區（Free Trade Area of the Asia-Pacific, FTAAP）計畫為例，說明 SCCP 可就關稅、非關稅措施（Non-Tariff Measures, NTMs）、原產地規則自我具證（self-certified rules of origin）、低價免稅（de minimis value）及次世代貿易投資（Next Generation Trade and Investment, NGeTI）等議題項目產出有意義成果，最後 CTI 主席呼籲 SCCP 賡續支持並實現 CTI 目標。另外，CTI 貿易便捷化主席之友代表指出第 2 階段供應鏈連結架構行動計畫（Phase 2 of Supply Chain Connectivity Framework Action Plan 2017-2020, SCFAP II）下的瓶頸（chokepoint）2、3 及 4 正在尋求志願領導經濟體。

主席接續報告 FTAAP 利馬宣言行動計畫（Lima Declaration Action Plan）內容，該計畫與 SCCP 關聯部份係原產地規則工作計畫（Work Program on Rules of Origin），主席提及 SCCP 將藉由能力建構（Capacity Building）及資訊分享等形式達成原產地規則工作計畫目標，新加坡亦發言補充該國在本次資深官員會議（SOM3）期間所舉行之 CTI 原產地規則公私部門研討會（Public-Private Dialogue on Rules of Origin, PPD on ROO），並鼓勵 SCCP 成員與會。

（五）WTO 貿易便捷化協定執行現況

WCO 代表簡介 WTO 貿易便捷化協定執行現況及 WCO 麥卡托計畫（Mercator programme）（附件 2），說明該組織在實行貿易便捷化協定之 3 項主要責任，即標準制定（standard setting）、協力合作（cooperation）及能力建構（capacity building），並指出 WCO 具有經世界各國海關認證的各領域專家及與其他國際組織現有合作等優勢。此外 WCO 代表解釋麥卡托計畫如何協助其組織成員實行貿易便捷化協定，藉由該組織於其官方網站上提供之工具（指引文件）、客製化的技術協助及能力建構逐步實施貿易便捷化協定。日本、越南、中國及韓國均對此表示肯定並支持 WCO 能力建構活動，CTI 主席重申 SCCP 應促進

運用 WCO 所提供的工具，期許 SCCP 提出相關的貿易便捷化能力建構計畫。

越南報告本年 8 月 16 日舉辦的貿易便捷化研討會成果（附件 3），邀集 APEC 會員經濟體代表、越南私部門代表與 WTO、WCO、世界銀行（World Bank）及聯合國亞洲及太平洋經濟社會委員會(United Nation Economic and Social Commission for Asia and the Pacific, UN/ESCAP）等國際組織專家與會，研討會旨在透過分享最佳實務、意見交流討論等形式識別關鍵挑戰並研提建議，以強化利害關係人參與實施貿易便捷化協定。我方首先發言感謝越南海關主辦本次研討會，邀請專家分享其寶貴經驗，我方認為研討會成果不僅強化會員體之能力建構，並深化公私部門間之夥伴關係，此外我們也期待所有 APEC 會員經濟體能共同完成會上所提之關鍵挑戰及主要建議事項，俾利貿易便捷化協定之執行更為順暢。其後韓國、美國、新加坡、日本、中國及秘魯也分別給予正面回應。

（六）供應鏈連結架構（Supply Chain Connectivity Framework）
CTI 貿易便捷化主席之友代表及 PSU 報告 SCFAP II 之進展（附件 4），詳述該行動計劃下的 5 項瓶頸之挑戰、目標、利害關係人、評估指標及相關具體行動等資訊。越南指出全部 5 項瓶頸與海關業務息息相關，特別是瓶頸 1「邊境管理欠缺整合，通關程序未盡完善（lack of coordinated border management and underdeveloped border clearance and procedures）」，建議每項瓶頸之領導經濟體應與其他 SCCP 會員密切合作，俾利成功解決 5 項瓶頸

PSU 報告全球資料標準（Global Data Standard, GDS）應用於 APEC 供應鏈連結之研究進展（附件 5），現已完成蘆筍、榴槤及龍舌蘭等 3 項產品先導計畫，該研究係從多個關鍵績效指標（KPIs）及利害關係人自我評估等面向檢驗導入 GDS 的成本及效益，最後 PSU 總結 GDS 目前所面臨的主要挑戰為尚未察覺 GDS 的可能應用、缺乏改變既有系統的需求及應強化供應鏈成員的參與合作。紐西蘭及香港共同表示 GDS 在供應鏈完整性及風險管理方面具有領先地位，且發現帶來效益遠超過投入成本。日本詢問 PSU 有關 GDS 應用於工業、農業產品的可行性，PSU 回答有可能針對汽車產業辦理先導計畫。

秘魯說明針對微中小型企業（Micro, Small and Medium Enterprises, MSMEs）所辦理之研討會進展，該研討會旨在識別影響 MSMEs 進出口通關程序之因素，期望促進 MSMEs 國際化及全球化，預定本年 10 月 23 日至 25 日在秘魯利馬舉行研討會，並依據各會員經濟體實務經驗於 11 月提出最佳實務手冊。

智利提出有關 APEC 海關轉口建置指引（Implementation of the

Guidelines for APEC Customs Transit）的草案計畫，該計畫係經 2014 年部長會議批准，預期將實現 SCFAP II 之目標，相關研討會暫定於 2018 年 APEC SOM3 期間舉辦。

（七）單一窗口（Single Window）

美國報告本年 8 月 17 日舉辦的單一窗口研討會辦理成果。我方發言感謝美方邀集世界各地專家於研討會上分享單一窗口領域的相關經驗，充分促進會員經濟體之能力建構，深化公私部門夥伴關係，有助於單一窗口永續發展。韓國讚揚該研討會並指出資訊機密性及數位駭客風險等技術議題之重要性，該國亦表示願與其他會員經濟體分享此部分的經驗。日本及越南發言表達感謝之意，另日本強調海關是單一窗口的領導機關，亦為協同邊境管理（Coordinated Border Management, CBM）的核心機關。主席總結單一窗口之重要功能係提供一個公平、透明及有活力的貿易環境，運用科技強化公私部門連結，以支持單一窗口持續發展。

PSU 簡報單一窗口系統國際介接研究之最新進展（附件 6），首先說明本年 7 月 APEC 單一窗口國際介接問卷（Survey on Single Window Interoperability)的初步分析結果，PSU 提到專業用語(Terminology, ex: WCO Data Model, Core Component Library)、最小資料集（Minimum datasets）及技術標準（Technical standard, ex: XML, UN/EDIFACT）係達成國際介接的 3 項技術因素，並指出建立單一窗口國際介接的法規架構（Legal framework）的必要性。

我國以中華臺北單一窗口的整合及國際介接為主題（附件 7），首先簡述我國過往貿易便捷化措施（如海關通關自動化、便捷貿 e 網等），接續介紹關港貿單一窗口（Customs-Port-Trade Single Window, CPT）對進出口業者（B2G）及政府機關（G2G）之便捷整合服務，包含通關申辦、簽審申辦、電子稅費及規費繳納及跨機關資訊共享等服務，並說明與中國單一窗口國際介接（N2N 跨境電子產證交換）成果。韓國詢問我國單一窗口國際介接之主導機關，我方回應係由海關擔任主導機關與國際貿易局共同完成跨境電子產證交換作業。

紐西蘭報告聯合邊境管理系統（Joint Border Management System）係以該國貿易單一窗口（Trade Single Window）為基礎，紐國海關、工業部及移民單位組成聯合邊境分析小組（Joint Border Analytic Team）利用風險評估與情資工具分析其單一窗口資料，預期效益可強化該國風險及情資的能力。中國亦發言簡述其國家單一窗口發展情形，該國單一窗口（包含中央及地區層級）已涵蓋沿海及內陸地區，預計 2020 年與其他外國單一窗口系統整合。

（八）優質企業（Authorized Economic Operator, AEO）

越南簡報其 AEO 制度，該國將依據 WCO 相互承認協議（Mutual Recognition Agreement，MRA）指引進行洽簽 MRA。

韓國說明 APEC 區域 AEO 計畫（Regional AEO Program）倡議（附件 8 及附件 9），該倡議原係於本年 SCCP1 提出，並參考各會員經濟體意見修正內容，韓方再次於本次會議提出，該倡議旨在提出兩項方案，第一項為多邊（multilateral）MRA，以現有 MRA 為基礎，將其提升為多邊 MRA；第二項為 APEC AEO 方案（APEC AEO Scheme），制定一體適用於各會員經濟體的 AEO 標準。同時韓方將辦理相關調查及研討會（預計 2018 年 2 月），利用討論尋求會員共識，倘達成共識，將委託 PSU 辦理可行性研究。我方發言支持該倡議所提之多邊 MRA 方案，並鼓勵各會員經濟體展開諮商支持該倡議，以促進貿易便捷化協定實施。香港表示支持該倡議；美國表達目前尚無參與該倡議之規劃，同時鼓勵各國檢視該倡議並向韓國提出建議；中國及紐西蘭要求延長提供建議之時間；日本請各會員經濟體審慎評估；WCO 代表對於該倡議表示支持，認為應謹慎思考規劃該倡議；韓國感謝大家對於該倡議的意見及關心，並同意延長提供意見的時間。

菲律賓介紹辦理 AEO 能力建構計畫之執行進度，本計畫目標為強化 APEC 各會員經濟體 AEO 制度發展及鼓勵洽簽 MRA，預計舉辦 1 場 SCCP 研討會及 3 場國內研討會，研討會內容將涵蓋 AEO 之要求、驗證標準與程序、效益或 MRA 等主題，藉此促進 AEO 相互承認。

紐西蘭說明該國與澳洲之 AEO 實務即安全貿易通道（Secure Trade Lane），係為期兩年之計畫，現正進行概念性驗證（Proof of concept），探索利用科技、資料分享及產業夥伴關係等方式減少邊境機關干預國際貿易的情形，以加速貨物通關。

（九）資訊科技及風險管理（Information Technology and Risk Management）
越南簡報該國風險管理系統之發展（附件 10）；韓國說明管理風險之國際標準，並將該資訊分享給其他經濟體；香港報告其賦予海關關員得向跨境交通運輸業者蒐集旅客資訊之權力之最新立法進程，在 2018 年底前，香港海關之風險管理能力將因為該法令之施行而更為提升。

美國提及可供所有 WCO 會員共享之全球旅遊評估系統（the Global Travel Assessment System），可作為 WCO 會員進行旅客風險管理之參考。

（十）智慧財產權（Intellectual Property Rights，IPRs）
美國報告智慧財產權指引文件（IPR Guidelines，附件 11）之內容，

該文件應 SCCP 需求不斷更新，並提供海關部門作為執行智慧財產權邊境措施之參考。香港建議該文件名稱可修正為智慧財產權實務手冊（IPR Practices Compendium）較為切合實際內容，美國同意香港之看法，並說明日後可以再研究更適合該文件之名稱。

越南更新該國打擊走私、商業詐欺、仿冒品國家委員會（National Steering Committee for Combating Smuggling, Commercial Fraud and Counterfeits）之業務概況，並說明隨著不法走私、商業詐欺及仿冒品所造成之挑戰日益嚴峻，機關間之密切合作與協力打擊是類非法活動實有必要。該委員會於 2014 年 3 月 19 日成立，由總理及副總理擔任主席，其主要工作職掌包括政策發展、提案及修正相關法規，以及主導執法力度等。該委員會成立至今已緝獲數以千計之違規案件，足以證明其運作相當成功（附件 12）。

我國報告海關在打擊商標侵權所做之努力（Customs' Efforts in Combating Trademark Infringement），分別就我國海關去（2016）年完成之智慧財產權邊境措施法規修正、海關智慧財產權資料庫整合與專區建置、智慧財產權案件線上申辦類別擴增，以及辦理智慧財產權能力建構概況等項目進行說明。越南詢問我方如何辨識仿冒品之問題，我方回應海關智慧財產權線上申辦系統內有權利人所提供之各品牌相關辨識資訊，可供海關同仁作為仿冒品辨識之參考（附件 13）。

日本介紹智慧財產權當前侵權趨勢，說明該國仿冒品緝獲案件統計、邊境執法情形，以及如何喚醒公眾對智慧財產權之保護意識（Public Awareness）。其緝獲案件統計係以仿冒品類別作為統計依據，其邊境執法係以資訊系統作為輔助。教育訓練每年之參訓人數超過兩千人。喚醒公眾對智慧財產權之保護意識之方式包括在各火車站張貼海報、運用媒體向大眾傳播仿冒品所帶來之危害等等訊息（附件 14）。

（十一）跨境電子商務（Cross-border E-Commerce）

WCO 代表報告該組織在電子商務之最新工作進展，WCO 於 2016 年 7 月成立電子商務工作小組，成員包含各利害關係人，並由海關及私部門共同主持，其小組主要任務為提出解決低價貨物（low value shipments）通關之方案，包括合宜的徵稅機制及管控措施，以促進並鼓勵電子商務之成長。該小組業務範圍涵蓋貿易便捷、流程簡化、貿易安全、徵稅及相關措施之研析等，目前已完成電子商務研究報告（Study Report on E-commerce），分析可能之徵稅方式。該代表並說明 WCO 未來計畫辦理之工作項目（附件 15）。

印尼報告該國海關與郵政機關間促進跨境電子商務之倡議（Customs - Postal Service AEI Initiative：Facilitating Cross Border

E-Commerce），其目標包括提供更好的服務、郵政便捷化、風險管理及徵稅。日本亦於會中強調海關與郵政機關間建立緊密關係之重要性（附件16）。

我國分享辦理跨境電子商務所作之努力與最新進展，說明我國刻正研擬跨境電子商務貨物通關制度，並已召開公聽會，取得私部門之意見。我方亦著手進行大數據分析並運用情資與情報強化風險管理機制，以鎖定透過電子商務所進行之非法貿易。

美國說明該國電子商務發展策略與方向，包括對仿冒品所帶來之危害進行公眾宣導，以符合 APEC 智慧財產權實務手冊（APEC IPR Practices Compendium, AIPC）所載之實務作法。紐西蘭亦說明該國與澳洲將於今年 9 月進行之國際郵件綠色通道試驗計畫（an international mail 'Green Lane' trial），將探究使低風險貨物運送更為順暢之作法，並將於下次 SOM 會議中提出報告。

中國向大會報告該國將於今年底前擔任 WCO 電子商務工作小組主席，並於 2018 年與 WCO 合作舉辦世界海關電子商務會議（World Customs E-commerce Conference），歡迎 APEC 會員海關積極參與。

（十二）共同行動計畫（Collective Action Plan, CAP）
越南報告放行時間研究（Time Release Survey, TRS）問卷調查結果（附件 17、18 及 19）；韓國、日本分別分享該國 TRS 經驗。

菲律賓和日本說明將於今年 9 月進行一項調查研究，並於今年 10 月發送調查問卷，希望能於 2018 年 2 月就問卷調查結果提出報告。

香港報告智慧財產權檢核表（IPR Check Sheet）之盤點結果，並感謝各會員經濟體之支持與配合。該檢查表 2 至 3 年更新一次（附件 20）。

（十三）海關間合作
智利及俄羅斯共同報告確保 APEC 會員海關間有效互動之合法途徑聯合問卷調查（joint survey of international legal instruments, which will ensure the effective interaction between Customs Administrations of APEC economies） 結果。

俄羅斯提出授予該國海關學院成為 APEC 訓練中心之組織章程(Terms of Reference, TOR)。美國認為本案應取得會員經濟體共識；香港指出目前已有 26 個 WCO 區域訓練中心（WCO Regional Training Center），其中 6 個已在亞太地區提供訓練，質疑是否有成立新的 APEC 訓練中心的必要，俄羅斯已瞭解本案問題所在，願意考慮針對會員體所提問題修改本提案內容。主席裁示，請俄羅斯依照會員經濟體之意見與建議，就該

國提案進行修正。

日本報告該國辦理能力建構活動（Capacity Building Activities）概況，內容包括辦理能力建構之目的、預算分配及活動安排，以及今年的計畫等。韓國亦分享該國能力建構，包含海關現代化及持續系統更新。

主席呼籲各會員經濟體持續致力於海關間之合作，並感謝各會員經濟體之貢獻。

（十四）與 APEC 其他委員會、次級論壇及工作小組合作
美國更新化學對話研析報告（Chemical Dialogue analysis），並鼓勵尚未提供調查意見的會員經濟體踴躍提供意見。

菲律賓報告 2017 APEC 微中小企業全球化長灘島行動計畫（Boracay Action Agenda to Globalize MSMEs Stocktake）之最新進展。再由美國報告海關辨識非法木材及木製品最佳實務研討會（Workshop on Customs Best Practices to Identify Illegal Timber and Wood Products）之成果。

（十五）其他事項
WCO 代表報告與轉口有關之全球海關會議（Global Conference on Transit）相關資訊。

SCCP 主席介紹 2018 SCCP 主席之友：澳洲、智利、中國、日本、韓國、美國、越南、紐西蘭及菲律賓，主席並介紹 2018 年 SCCP 主席巴布亞紐幾內亞 Mr. James Kombuk Bire。

（十六）採認 2017 年 SCCP 工作計畫及本次會議總結報告
主席請各會員經濟體檢視並採認更新後的 2017 年 SCCP 工作計畫（附件 21）及本次會議總結報告（附件 22）。

（十七）主席致閉幕詞
主席向全體與會代表及本年度主席之友的支持與貢獻表達謝意。

伍、其他相關會議

一、貿易便捷化研討會（Workshop on Enhancement of Stakeholder Engagement in the implementation of WTO Trade Facilitation Agreement）

（一）背景說明

WTO 貿易便捷化協定之目的在於簡化通關、邊境查驗所需文件及程序之措施，以降低跨國貿易的交易成本。WTO 於 2002 年宣布展開杜哈回合談判，續於 2004 年決議將「貿易便捷化」納入談判議題，該協定係 2013 年 12 月 WTO 在印尼峇里島召開第 9 屆部長會議所達成「峇里套案（Bali Package）」3 大成果之一，亦是 WTO 自 1995 年成立以來，所達成的第 1 個多邊協定，WTO 於本年 2 月 22 日正式宣布該協定生效。

為強化公私部門參與實施貿易便捷化協定，越南於本年第 1 次 SCCP 會議提案辦理本研討會，獲得澳洲、加拿大、中國、日本、馬來西亞、紐西蘭、秘魯、菲律賓、新加坡及我國等會員支持並擔任共同提案經濟體，並經 APEC 秘書處採認通過。本研討會邀請 WTO、WCO、UN/ESCAP 與 World Bank 等國際組織專家及其他會員經濟體，分享關於貿易便捷化之最佳實務或經驗。

（二）會議內容（議程如附件 23）

研討會分成 4 段進行，第 1 段先由 WTO 介紹貿易便捷化協定的執行現況，UN/ESCAP 說明亞太地區經濟體實施貿易便捷化各項措施（measure）之情形及統計分析數據，接續由日本與澳洲分享該國貿易便捷化協定執行經驗。

第 2 段主題係海關及其他邊境機關共同參與貿易便捷化，美國、中國、韓國及越南分別簡介該國在機關間協調合作之實務，摘要重點如下：

1. 美國介紹該國以「One U.S. Government at border （1USG）」之精神，實施貿易便捷化協定第 8 條邊境機關合作（Border Agency Cooperation），該國設立邊境機關執行委員會（Border Interagency Executive Council, BIEC），由 47 個政府機關（Partner Government Agencies）共同組成，負責改善邊境管理與協調，並利用 CBP 之自動化商業環境（Automated Commercial Environment, ACE）簡化政府系統並節省經費；另設置商業目標分析中心（Commercial Targeting and Analysis Center, CTAC），

以 CBP 為首與 11 個參與機關實行資訊共享，同時整合運用集體資源，預防、嚇阻、阻止及調查違反該國進出口法規之行為；此外由私部門代表 20 名組成的通商業務諮詢委員會(Commercial Customs Operations Advisory Committee, COAC) 給予該國公部門在法規、政策及實務面之相關建言，強化公私部門協作，簡報如附件 24。

2. 中國介紹將於 2017 年間全面導入之國際貿易單一窗口（International Trade Single Window），預計達成單一入口（Single Entry）、單一申辦（Single Submission）、單一回復（Single Feedback）等 3 項目標，以促進機關間資料共享及貿易便捷，簡報如附件 25。

3. 韓國以其聯合查緝系統（Joint Inspection System）為例，說明該國海關及其國內機構透過該系統分享資訊並共同查驗進口貨物的最佳實務，並分享該實務的緝獲成果，簡報如附件 26。

第 3 段討論焦點為促進私部門參與貿易便捷化協定實施之策略及國家貿易便捷委員會成員間合作之期望與經驗。首先本段主持人 Dr. Peter Faust 說明透過公私部門在國家貿易便捷委員會之參與及對話，可有效優化貿易便捷化施行。接續越南政府代表分享該國貿易便捷化之改革成果及經驗，另由該國商會代表就貿易便捷化實施提供相關建言。最後 World Bank 指出私部門參與之重要性，並強調海關以外之公部門亦須積極參與貿易便捷化實行，最後主持人總結公部門透過對話等方式瞭解私部門在跨境貿易之瓶頸及需求，提出法規面、執行面之解決方法，進而發揮貿易便捷化協定之綜效。

第 4 段為技術協助及能力建構（Technical Assistance and Capacity Building, TACB），為協助其他開發中或低度開發國家(Least Developed Countries, LDCs) 實行貿易便捷化協定，WCO 說明麥卡托計畫及提供之相關工具。另外，韓國及日本分別介紹該國提供 TACB 的具體成果，如提供 TACB 項目及範圍、辦理 TACB 的次數及參加總人數。最後越南分享接受其他國際組織或其他成員經濟體 TACB 之經驗。

（三）會議結論

越南彙整本次會議討論結果，提出多項關鍵挑戰及建議事項，並研擬行動計畫草案（Draft Work Plan），以促進海關間合作與強化利害關係人參與貿易便捷化實施，該行動計畫草案預計本年 10 月提出相關調查問卷，並在 2018 年第 1 次 SCCP 會議發表調查成果。

二、單一窗口研討會（Workshop on Single Window）

（一）背景說明

近年來為促進貿易便捷化，APEC 各會員經濟體積極建置單一窗口，以改善貨物通關效率。有鑑於此，遂在 SCCP 共同行動計畫（Collective Action Plan, CAP）中擬定「發展單一窗口，促進國際介接（Development of Single Window and promotion of international interoperability）」子項目，期望藉由調和、簡化、強化透明度、導入科技及與利害關係人合作等單一窗口效益增進國際供應鏈的效率。爰美國海關（Customs and Border Protection, CBP）主辦本次單一窗口研討會，邀請 WCO、UN/ESCAP 等國際組織代表進行單一窗口領域之能力建構，同時其他會員經濟體簡介該國單一窗口現況及建置營運經驗。此外亦邀請私部門代表分享對於單一窗口的觀點與建議。

（二）會議內容（議程如附件 27）

研討會分成 5 段進行，第 1 段主題為單一窗口的構成元件（Building Blocks of Single Window Systems），由 WCO 與 UN/ESCAP 技術代表介紹單一窗口的定義及關鍵構成元件，如政治決心（Political Will）、利害關係人協作（Stakeholder Coordination）、營運模式（Business Model）、法規架構（Legal Framework）及技術議題（Technical issues）等，並介紹渠等國際組織所提供之與單一窗口建置相關文件及工具。續由越南及美國代表簡介其單一窗口的發展現況與建置經驗。

第 2 段深入聚焦於單一窗口的重要構成元件即資料品質與安全（Data Quality and Security），墨西哥、新加坡及韓國依序簡報該國在此領域的實務做法，摘述重點如下：

1.　新加坡說明評估資料品質之 4 項標準，分別為準確性(Accurate)、完備性（Complete）、及時性（Timely）及完整性（Integrity），並提出該國在保持資料品質之措施，如使用國際資料標準、連結國內港埠機關或國外合作夥伴等技術面措施；另外，非技術面措施主要為建立單一窗口使用者治理架構（Governance Framework on users of Single Window System），從單一窗口使用者（即資料提供者）進行管理，建立使用者評估標準（如該公司的守法紀錄或資訊管控機制）區分使用者等級（基本 Basic、標準 Standard、中間 Intermediate、進階 Enhanced 及高級 Premium 等 5 級），依其分級給予適當通關便捷度，此外提供訓練課程，確保提供資料之準確性及完備性，以提高其使用者知能，簡報如附件 28。

2.　韓國簡介該國在確保資料安全的軟硬體系統架構，即電子通關統合

控制中心（E-clearance Integrated Control Center），該中心為操作控制系統（Operation Control System）、預警控制系統（Early Warning and Control System）及安全控制系統（Security Control System） 3 者所構成的全方位資訊安全防護環境。

第 3 段討論主題為單一窗口促進便捷貿易與經濟競爭力，首先 UN/ESCAP 說明各國實施單一窗口及貨物通關資訊系統的情形，指出應視國家經濟規模大小及需求，先進行流程再造（Business Process Reengineering, BPR），並妥善考量單一窗口未來功能與發展（如跨境介接 Cross-border Interoperability），再規劃建置單一窗口系統。美國說明其單一窗口即自動化商業環境（Automated Commercial Environment, ACE） 在 2016 年間創造約 65 億美元的經濟效益（Cost Reduction），同時帶來資料可用性（Data Availability）、減省紙張（Paper Reduction）及守法性（Compliance）等好處。秘魯分享太平洋聯盟（Pacific Alliance）單一窗口國際介接（International Interoperability）進展，太平洋聯盟係由智利、哥倫比亞、墨西哥及秘魯等 4 國所組成，目前該聯盟刻正就植物檢疫證（Phytosanitary Certificate）及原產地證明（Certificate of Origin）等文件進行單一窗口國際介接合作。

第 4 段係從私部門觀點說明單一窗口所面臨的挑戰，邀請 UPS 及 DHL 等國際物流業者分享對於單一窗口的觀點與相關建議，如簡化進、出口通關流程、強化邊境機關協調合作，以減少跨境貿易時間及成本。

第 5 段以單一窗口之永續及介接為主題，UN/ESCAP 說明須克服政治承諾（Political Commitment）、建置規劃（Implementation Planning）、營運模式（Business Model）、法規相容性（Legal Compatibility）、變更管理（Change Management）及技術介接（Technical Interoperability）等 6 項挑戰，以確保單一窗口永續營運及國際介接，另外指出物聯網（Internet of Thing, IOT）、大數據、人工智慧（Artificial Intelligence, AI）及區塊鏈（Blockchain）等單一窗口未來發展方向，簡報如附件 29。

（三）會議結論（總結報告如附件 30）

近年來，單一窗口係 APEC SCCP 熱門討論議題，尤其隨著貿易便捷化協定生效實施，各國皆積極建置單一窗口系統，以簡化通關流程並整合政府資源。APEC SCCP 將賡續發展單一窗口並推動國際介接，未來將邁向 2020 年全部會員經濟體完成建置單一窗口之目標。

三、APEC 海關與私部門對話會議（APEC Customs-Business Dialogue, ACBD）

（一）背景說明

隨著貿易環境變遷與多元發展，海關與企業建立夥伴關係，共同促進貿易發展，降低貿易成本已成為趨勢，SCCP 架構下設有海關與企業對話機制，本次會議旨在透過海關與企業對話，找出貿易便捷與安全之平衡點（Finding the Balance between Trade Facilitation and Secure Trade: shared goal in a safer world trade regime）。會議由越南海關副總局長 Dr. Vu Ngoc Anh 擔任主席，會議議程如附件 31。

（二）會議內容

內容會議分成 2 段進行，第 1 段議題為促進貿易便捷化之連結性（Promoting Connectivity for Trade Facilitation），本主題由企業代表主持，邀請日本、新加坡、APEC 政策支援小組（Policy Support Unit, PSU）及物流業者代表分別就本主題進行簡報。

日本介紹該國單一窗口（NACCS）演進歷程，現已整合該國海關、港務、檢疫、移民、貿易管制等邊境管理機關，充分促進單一窗口永續性及連結性。

新加坡 APEC 企業諮詢委員會（APEC Business Advisory Council, ABAC）會員介紹該國單一窗口發展過程，從 B2G 服務（TradeNet）、B2B 服務（TradeXchange）至 International 服務（National Trade Platform, NTP）之便捷化演進過程，並舉該國與印尼之跨國文件交換從電郵傳遞進步至透過單一窗口自動交換的案例，可促進區域連結與貿易便捷。

PSU 說明 APEC 供應鏈架構行動計畫（Supply Chain Framework Action Plan, SCFAP）第 1 階段計畫成果，包括內外部指標、自我評估問卷（self-assessment survey）及與 WTO TFA 連結（linking SCFAP I with WTO TFA）等，接續介紹 SCFAP 第 2 階段之目標與內容。

物流業者代表（Conference of Asia Pacific Express Carriers, CAPEC）以便捷中小型企業（Small and Medium Enterprises, SMEs）參與國際貿易為題，說明跨國物流供應鏈的遞送過程、SMEs 與國際貿易的關係、貿易便捷化對 SMEs 的效益及便捷海關程序的 3 項建議，即程序簡化（Simplification）、調和（Harmonization）及自動化（Automation）。

主席係由國際商會（International Chamber of Commerce, ICC）代表擔任，強調實施貨物暫准通關制度（the ATA carnet system）對海關

及企業所帶來之效益，並可確保貿易便捷與安全，以及強化海關與企業之夥伴關係。

第 2 段議題為與私部門密切合作以提升貿易安全（Conducting closer cooperation with the Private Sector to enhance trade security），越南海關介紹該國的風險管理機制（Risk Management），於 2014 年建立法規架構，目前風險管理機制已應用於海關貨物處理及業者管理（trader profile information）等作業，另外該國提到實行優質企業（Authorized Economic Operator program, AEO），深化海關與業者夥伴關係。

世界銀行（World Bank）代表簡報主題為電子商務的便捷成長與風險管理，指出風險管理係平衡便捷與安全的關鍵，並說明低價免稅門檻（de minimis thresholds）及簡化程序（simplified procedures）的重要性。

DHL 代表報告電子商務的重要性及所面臨的挑戰，提出下列建議事項：
1. 監管規定及海關通關不應成為合法電子商務業者的障礙（regulatory requirements and customs clearances should not hinder the legitimate e-commerce industry）。
2. 定期檢視低價免稅門檻並納入陸路運輸貨物（periodic review on de minimis levels & include goods transported by road）。
3. 資料最少化與進口程序簡化（minimum data requirements & simplified entry）。
4. 預報電子資訊（advance electronic information），包括郵包貨物（postal shipments）。
此外 DHL 並介紹其海關業務管理系統（Customs Affairs Management System）如何篩選過濾貨物資訊，並拒絕運送可疑貨物。

越南商會代表經驗分享如何透過私部門與海關合作管道，促進貿易便捷與安全。

美國海關代表提醒世界關務組織（WCO）已提供多項有關深化海關與私部門夥伴關係的指引（guideline），可供會員參考使用。

（三）會議結論
本次會議透過海關與企業之對話機制，分享公私部門之執行經驗，並集思廣益，共同歸納出得以兼顧貿易便捷與安全之道。

四、APEC 原產地規則公私部門對話會議（APEC Public Private Dialogue on Rules of Origin, PPD on ROO）

（一）背景說明

依據 2016 年 APEC 領袖會議所簽署的利馬宣言（Lima Declaration），經濟體同意著手進行原產地規則工作計畫。雖然 APEC 過去已針對原產地規則完成許多工作項目，如自行具證（self-certification）等，但是仍應加倍努力，解決原產地規則所面臨之挑戰，以實現建立亞太自由貿易區（FTAAP）之最終目的。本次會議由新加坡主辦，澳洲及紐西蘭協辦，會議議程如附件 32。

（二）會議內容

會議分成 3 段進行，第 1 段議題為原產地規則之機會（Opportunities for Rules of Origin），由來自公、私部門之主講人，共同討論如何談判與執行原產地規則之機會，包括在不同自由貿易協定（FTA）下有關談判、使用與執行特定規則與產地程序之最佳實例。藉由本段主題之經驗分享，瞭解 APEC 會員經濟體間自由貿易協定之相同點與相異點。

第 2 段議題為原產地規則談判、使用與執行所面臨之挑戰（Challenges faced in negotiating, utilizing as well as implementing ROO），聚焦於政府官員在談判與執行原產地規則所面臨之挑戰，以及私部門如何使用原產地規則。主講人說明此領域所共同面臨之挑戰，並就如何面對並處理這些挑戰彼此交換意見。

第 3 段議題為我們期待的亞太自由貿易區以及如何實現（What do we want to see under an eventual FTAAP and how do we get there?），主講人反思在前兩段主題所討論之機會與挑戰，並將其轉換為在亞太自由貿易區之構想下，對原產地規則之願望清單（wish-lists）。主講人提到在亞太自由貿易區之概念下有哪些可能做法。另關於前面兩段主題所提到現行自由貿易協定間所存在之相同點與相異點，主講人反思 APEC 可以做什麼以減少歧異，包括研討能力建構之可能做法，以及這些做法如何幫助所有會員經濟體提供迎接亞太自由貿易區之準備。

（三）會議結論（總結報告如附件 33）

本次會議對於原產地規則之使用與執行所面臨之挑戰，以及在亞太自由貿易區概念下所產生之機會有諸多良性互動與討論。主要面臨的挑戰有 3：

1. 平衡貿易便捷化與搭便車（free-riding）問題；
2. 企業對於原產地規則之使用缺乏瞭解；

3. 在區域內相互重疊之自由貿易協定下之義大利麵碗（spaghetti bowl）效應。

主要面臨之機會亦有 3：

1. 在自由貿易協定談判時更為透明化，且與企業之諮商更為提早；

2. 簡化證明文件，例如在產地證明書上不必載明貨物價值（FOB value）；

3. 反映企業實務運作，如區域分銷中心（regional distribution centres）。

五、全球資料標準研討會（Workshop on Application of Global Data Standard for Supply Chain Connectivity, GDS workshop）

（一）背景說明

全球資料標準（Global Data Standard, GDS）係由國際組織 GS1 提出用於追蹤貨物動態的一套資料編碼及資通訊技術，採用 GDS 可提升供應鏈的效率（Efficiency）及透明可見度（Visibility），亦可確保貨物資料正確性（Accuracy）及完整性（Integrity）。

2014 年 APEC 領袖宣言指出使用標準化的分類代碼，將有助於供應鏈上之利害關係人分享貨物資訊，並鼓勵 APEC 各會員經濟體政府部門與業界共同合作，執行 GDS 先導計畫。有鑒於此，2015 年 3 月由紐西蘭及香港聯合發起先導計畫，探索 GDS 應用於供應鏈之效益與成本，至 2016 年 8 月止，已完成多項跨國運送貨物採用 GDS 之先導計畫。爰紐西蘭及香港及共同主辦本次研討會分享在供應鏈上應用 GDS 的成果，邀請私部門代表分享其使用 GDS 的經驗，藉此推廣 GDS 相關應用。

（二）會議內容（議程如附件 34）

研討會分成 4 部份，第 1 部份由 APEC 政策支援小組（Policy Support Unit, PSU）報告 GDS 應用於 APEC 供應鏈連結之研究進展，包括 2015 年的紅酒（Wine）與盒裝肉（Boxed meat）及 2016 年的蘆筍（Asparagus）、榴蓮（Durian）與龍舌蘭酒（Tequila）等 5 項產品 GDS 先導計畫的效益及成本，最後指出 GDS 所面臨之主要挑戰，如尚未察覺 GDS 的可能應用、缺乏改變既有系統的需求及應強化供應鏈成員的參與合作。紐西蘭 GS1 簡報 APEC 邊境機關風險管理研究（Border Agency Risk Management Study），分享兩個使用 GDS 強化風險分析的範例，強調 GDS 易於使用導入，且成本非導入 GDS 的重大障礙，最後建議應繼續先導計畫，惟邊境機關應領導執行先導計畫。

第 2 部份係由 4 位來自澳洲（盒裝肉）、馬來西亞（榴槤）、墨西哥（龍舌蘭酒）及秘魯（蘆筍）的私部門代表，分享該公司產品參與 GDS 先導計畫之成果、經驗與建議，建議內容略以「對私部門而言，導入 GDS 可提升跨國貨物於供應鏈上運送之效率及透明可見度，惟需公部門支持並參與，方能發揮 GDS 之完整效益。」

第 3 部份由紐西蘭介紹該國海關使用 GDS、國際商品統一分類代碼（HS CODE）、WCO 資料模型（Data Model）及 GS1 等資料標準、另說明紐西蘭單一窗口（Trade Single Window）及與澳洲的兩個試驗性計畫，分別為針對低價值低風險國際郵件貨物的電子商務綠色通道（e-Commerce

Green Lane），及基於紐西蘭與澳洲相互承認協議（Mutual Recognition Agreement, MRA）的低風險貨物或業者的安全貿易通道（Secure Trade Lane），簡報如附件 35。

第 4 部份探討 GDS 未來可能之廣泛應用，秘魯介紹該國將 GDS 應用在海運貨物。最後 GS1 代表指出目前 GDS 先導計畫多為生鮮或藥品，倘未來需拓展 GDS 應用範圍需公部門支持，另建議 APEC 發展相關指引文件，以利各經濟會員體瞭解並採用 GDS。

（三）會議結論（總結報告如附件 36）

至本年 8 月底止，已完成 5 項產品的 GDS 先導計畫，且大部分為生鮮產品，需待政府部門參與且將其他種類產品納入先導計畫，才能瞭解 GDS 之實際成效。另私部門代表在會上多建議 APEC 應提供 GDS 相關指引文件，以協助各會員經濟體導入使用。

六、APEC 供應鏈連結聯盟第 7 次會議(Seventh Meeting of the APEC Alliance for Supply Chain Connectivity, A2C2）

（一）背景說明

APEC 供應鏈連結聯盟第 7 次會議共有來自 17 個經濟體超過 44 個公私部門團體參與。會議主要目的有 3 項：

1. 更新 A2C2 成員於馬來西亞、越南及菲律賓所進行之能力建構計畫進展，並提報 2018 年之最新能力建構計畫；
2. 探究第 2 階段供應鏈連結架構行動計畫（SCFAP II）如何執行；
3. 提供私部門對於區域內瓶頸(chokepoints)看法之個案研究情形。

（二）會議內容（議程如附件 37）

會議分 4 段進行，第 1 段議題為更新 APEC 供應鏈能力建構計畫(Update on APEC Supply Chain Capacity Building Projects)，由公部門代表分別報告馬來西亞實施預先核定（Advance Ruling）計畫，越南實施預先清關（Pre-arrival Processing）、預先核定及快遞貨物（Expedited Shipments）計畫，以及菲律賓執行快遞貨物計畫等進展。

香港及紐西蘭共同報告全球資料標準（Global Data Standard, GDS）應用於供應鏈連結的最新進展，並說明同日上午舉辦之 GDS 研討會辦理情形。

第 2 段議題為更新 SCCP 主要倡議之執行成果（Update from APEC Sub Committee on Customs Procedures–Key Initiative），由越南海關代表提出報告，內容包括實施 WTO 貿易便捷化協定、單一窗口系統介接（Interoperability）、提升 APEC 海關與私部門對話（APEC Customs-Business Dialogue）之效益。

第 3 段議題為第 2 階段供應鏈連結架構行動計畫之執行（Presentation on the Implementation of Supply Chain Connectivity Framework Action Plan 2, SCFAP II），由 CTI 貿易便捷化主席之友代表（FotC on Trade Facilitation）及政策支援小組（Policy Support Unit, PSU）報告 SCFAP II 監督架構（Monitoring Framework），包含行動計畫、目標及進度評估指標。

第 4 段議題為區域內解決瓶頸問題之個案研究（Breaking down the Chokepoints: Case Studies from the Region，由私部門分享 APEC 區域內與 SCFAP II 瓶頸有關之問題與實例，以及公私部門針對關鍵問題如何回應，包括目前著手進行之工作，以及未來待完成工作。在個案研究中特別強調新數位科技之運用，包括電子支付（e-Payment）以及

區塊鏈（Blockchain）可能之應用方式，分別由 7-Eleven、UPS 及 Intel 針對供應鏈連結分享該等公司面臨之挑戰及建議。

（三） 會議結論

本次會議摘要及結論如附件 38，美國主席特別強調有某些需求浮現，包括：

1. 改善可預測性、效能，以及釐清區域內進、出口之需求；
2. 減少貨物運送之時間與費用；
3. 改善跨機關間之協調與合作；
4. 流程簡化；
5. 海關關員教育訓練；
6. 政府官員與企業更密切聯繫；
7. 執行 WTO TFA 之重要性。

主席特別重視今年 A2C2 之優先事項，包括各能力建構計畫之執行，並強調明年與 TFA 執行有關之新工作計畫；主席也希望有更多經濟體願意主導相關議題。最後，主席聚焦於 SCFAP II 之進展，並尋求更多與貿易便捷化有關之供應鏈連結改進之道。

七、邊境執法下之商標侵權研討會（Workshop on Trademark-Infringement Determinations in a Border-Enforcement Context）

（一）背景說明

鑒於商標仿冒與侵權已成為全球議題，對消費者而言，仿冒品可能會造成安全與健康之危害；對權利人而言，可能造成營業額減少、投資意願低落以及名譽上之損失；對各國政府而言，可能會減少稅收以及造成招商困難。爰此，提升邊境執行仿冒品查緝能力將使消費者、權利人及各國政府同時獲益。

本研討會由美國主辦，協辦會員體（co-sponsor）包括加拿大、智利、我國、香港、日本、韓國、墨西哥、巴布亞紐幾內亞、秘魯及越南等國。

本研討會出席對象包括工作階層之海關及商標主管機關代表，除此之外，並邀請私部門代表擔任主講人，共同分享商標侵權議題之概況與最新趨勢。

（二）會議內容（議程如附件 39）

研討會分成 6 段進行，第 1 段議題為商標侵權對權利人、消費者以及整體經濟之衝擊（Impact of Trademark Infringement on Brand Owners, Consumers and Economies），分別由美國專利暨商標局（United States Patent and Trademark Office, USPTO）代表，以及私部門 Tilleke & Gibbins Vietnam, LEGO Asia-Pacific, Rouse Legal Vietnam 等公司代表分享經驗。

Tilleke & Gibbins Vietnam 公司代表說明，商標侵權對權利人而言，造成商機損失、名譽損失以及訴訟所帶來之金錢損失；對消費者而言，造成安全及健康危害，甚至可能危及生命；對整體經濟而言，造成廠商投資意願低落、市場信賴感降低，以及社會資源減少。

LEGO 公司代表說明該公司所面臨之侵權態樣主要為著作、設計及商標侵權，主要銷售管道係透過電子商務或傳統零售方式為主。該代表並提出建議補救方式應同時由供、需兩方面著手，在供應面應透過訴訟及加強對執法人員教育訓練著手；在需求面應透過執法、與政府建立夥伴關係，以及教育消費者著手。

ROUSE 公司代表說明商標侵權對世界各國所造成之經濟損失，並提及大型商標權利人公司對抗商標侵權之作為，包括成立品牌保護團隊、提出

商標註冊申請、參與市場掃蕩行動、與網路銷售平臺業者合作、設計可區辨真品與仿品之表徵，以及教育消費者等等方式。

第 2 段議題為海關在智慧財產邊境執法所扮演之角色（Role of Customs in IP Border Enforcement），本議題分別由美國海關（CBP）、世界關務組織（WCO）代表，以及香港海關代表分享經驗。

美國海關代表說明 CBP 執行智慧財產權邊境保護主要係針對商標權、著作權，並配合執行禁止進口命令（exclusion orders）。另說明邊境執法所面臨之幾個挑戰，包括：1. 仿冒品複製技術提升，造成侵權認定困難且耗費時間。2. 一般社會大眾認為購買仿品是無罪的，造成降低需求面以及教育消費者之困難。3. 隨著電子商務發達，仿冒品常利用郵包或快遞方式運送至消費者手上，而郵包因為可取得資訊有限，造成查緝困難。CBP 並提供 2000 年至 2016 年智慧財產權緝獲案件統計，並強調 2015~2016 年超過 90% 之緝獲案件來自快遞及郵包。

我國代表針對此統計數據請問美方如何解決大量來自快遞之仿冒品問題，美方表示 CBP 有針對低價少量貨物採行先導計畫（pilot program），讓處理是類案件之流程更為簡化。CBP 並說明對應之策略應從教育（educate）、積極介入（engage）及執法（enforce）等 3 方面著手。

WCO 代表說明 WCO 在智慧財產權邊境執法之力道主要有 3：1. 為海關建立權責標準（Standard Setting）；2. 與其他國際組織合作（Cooperation）；3. 提供能力建構及技術協助（Capacity Building/Technical Assistance）。尤其在能力建構方面所提供之協助包括辦理區域性研討會進行實務分享、為 WCO 會員量身訂做國家級研討會、針對有安全及健康危害之商品（如藥品、食物、化妝品、殺蟲劑、機具及運輸工具、遊戲器具和玩具等）發起海關聯合查緝行動（Customs Joint Enforcement Operation）。WCO 並提出各國在邊境執法所面臨之挑戰包括以下面向：法源依據與執行程序、與權利人合作、真仿品辨識、尋找權利人困難、與其他政府機關合作、其他海關內部問題等，而其解決方案應朝向檢視與修正相關法規，以及與其他政府機關及權利人合作等方向努力。

香港海關代表介紹該海關智慧財產權組織職掌及執行範圍，並以影片輔助介紹該海關在執行智慧財產權保護所作之努力。

第 3 段議題為商標主管機關對於易造成混淆誤認之近似商標之認定（Trademark Offices: Making Examination Decisions About Confusingly Similar Trademarks），分別由韓國智慧財產局（KIPO）、墨西哥工業財產局（IMPI），以及菲律賓智慧財產局（IPOPHL）從商標

主管機關角度說明近似商標之認定。

KIPO 代表分別說明近似商標認定之困難點、認定近似商標應考量之因素，並提供個案研析。

IMPI 代表提供該局認定近似商標相關作業內容，並強調近似商標之認定一般會從發音混淆（phonetic confusion）、圖像混淆（graphic confusion）、概念或意識型態混淆（conceptual or ideological confusion）等 3 個面向著手。

IPOPHL 代表分享該局近似商標認定之法源依據及其執行程序。

第 4 段議題為海關對於近似商標及仿冒品之認定（Customs Agencies: Making Determinations Between Confusingly Similar Trademarks vs. Counterfeits），分別由智利海關、美國海關，以及越南海關從海關的角度進行說明。

智利海關介紹其風險管理組織架構及職掌，並舉實例說明典型仿冒案件（traditional case）及非典型仿冒案件（non-traditional case）之態樣。

美國海關代表說明該海關執行商標保護措施主要針對仿冒及近似商標案件。並分別以實例分享該海關如何認定仿冒及近似商標商品。

越南海關分享該國近似商標及仿冒之認定機關係國家智慧財產局，並介紹其認定標準及該海關在執行上所面臨之困難，並提出未來努力之方向包括：精進智慧財產資料庫、強化對內與對外之合作、培訓智慧財產權種子教師、積極推動相關聯合查緝行動等等。

第 5 段議題為海關、商標主管機關及私部門建立有效關係（Building Effective Relationships Between Customs, Trademark Offices, and the Private Sector），分別由私部門 Rouse 公司、美國海關、香港海關以及我國海關分享如何在海關、商標主管機關以及私部門間建立有效關係。

Rouse 公司代表介紹越南、柬埔寨及寮國之海關程序，並利用越南海關 2015 及 2016 年智慧財產權緝獲案件統計數字說明該國海關緝獲案件數量有限之可能原因包括：大部分仿品透過走私方式運送、緝獲案件中有大量真品以非法方式進口、ABAC 議題影響、政府努力打擊走私等。最後並說明權利人與智慧財產國際組織（如 WIPO 及 REACT 等）及海關合作辦理教育訓練提升海關關員之查緝知能。

美國海關代表分享與私部門之合作包括：設立 10 個專家中心（Centers

of Excellence and Expertise）、成立 COAC IPR 工作小組、與私部門進行資訊分享以及辦理線上登錄（E-Allegations）等。另介紹該國智慧財產權保護中心（National Intellectual property Rights Coordination Center）之組織。最後說明 CBP 與他國海關進行之雙邊及多邊合作情形，以及與 USPTO 及其他政府機關之關係（附件 40 及 41）。

香港海關說明與權利人之合作情形包括透過線上登錄取得權利人相關資訊。該海關亦與 5 大快遞業者（DHL, UPS, TNT, FedEx, SF Express）合作加強仿冒品查緝。除此之外，亦說明與智慧財產保護聯盟（IPRPA）、青網大使（Youth Ambassador）以及與利害關係人之合作，包括與拍賣網站業者共同協力打擊仿品。

我國海關代表報告我國海關最新商標權邊境措施修法進展，以及去年建置與整合內部網路智慧財產權專區，與擴大外部網路線上申辦服務內容所作之努力，以及在智慧財產權保護方面之能力建構情形，並強調國內商標主管機關智慧財產局（TIPO），以及權利人提供海關之協助。

美方代表向我方提問：我國線上申辦系統提供權利人給海關更多資訊之機會，但權利人提供海關之資料可能涉及商業機密，我國海關是否有保密機制（法律規範）？並表示 CBP 對於權利人提供之資料如商業機密給予很高等級之保護，故權利人很放心將資料交給海關。我方回應，權利人提供海關之資訊皆以機密資料處理，置於海關內部網路，查緝關員需取得帳號密碼始能登入系統進行查詢。其後，我方 TIPO 代表亦發言強調與海關間之合作面向。

第 6 段議題為當前智慧財產權保護最新發展現況、倡議與趨勢（Current Developments, Initiatives, and Trends），美國 USPTO 代表介紹如何運用科技對抗商標侵權，說明在產品或包裝上附加某些真品專屬特徵，有助於供應鏈業者、海關及消費者辨識商品之真偽，如運用立體圖像、變色墨水及繩形裝飾、QR codes、RFID、安全包裝、顯微特徵、雷射防偽標示、科技指紋等。

日本分享該國海關對抗仿冒之兩種途徑：1.強化邊境執法；2.落實公眾宣導。簡報中分別說明該國海關如何執行仿冒查緝，包括運用情資分享機制（CIS），以及與權利人合作辦理真、仿品辨識訓練課程等。在公眾宣導方面，利用報章雜誌、海報、公開網站（如 Facebook, You Tube, Twitter）、發布仿品緝獲與銷毀新聞等方式密集宣導。

（三）會議結論
本研討會議題面向多元，透過海關、商標主管機關，以及私部門三方之

經驗分享，彼此討論，對於強化邊境與其他執法機關對於商標權之保護能力，提升仿冒品之查緝績效有很大之助益。

陸、心得與建議事項

一、 善用技術協助/能力建構，深化雙邊關務合作關係

為有效實施貿易便捷化協定，WTO、WCO 或其他先進國家（如美國、日本、韓國）積極提供客製化的技術協助與能力建構（Technical Assistance and Capacity Building, TACB）等援助措施，不僅協助開發中或低度開發國家實行貿易便捷化協定，同時深化國家間合作夥伴關係。以本年 APEC 主辦國越南為例，該國借助其他先進國家之 TACB，有效強化自身之國家競爭力與國際地位，實屬互助合作成效良好案例。爰此，在預算及人力資源可勻調範圍內，得選擇我國成效良好之關務制度或措施，並以此為 TACB 合作項目，協助其他國家精進其關務制度，逐漸深化雙方關務合作關係。為實現該目標，宜審慎遴選人才，將其培育為海關業務及英文能力並重的專業人員，透過對外提供 TACB，貢獻海關專業智識，提昇我國國際地位，以收跨國關務合作之綜效。

二、 整合邊境機關資源，落實協同邊境管理

隨著貿易便捷化協定生效，為強化該協定第 8 條邊境機關合作（Border Agency Cooperation）施行成效，部分 APEC 會員經濟體（美國、紐西蘭、韓國）不約而同地在會議上分享該國聯合風險管理或查緝等最佳實務作法，整合邊境機關資源，並相互協調合作執行業務，充分落實協同邊境管理（Coordinated Border Management）理念，尤其美國以「One U.S. Government at border （1USG） 」的精神，執行邊境管理，值得我國參酌學習。

三、 參酌各國單一窗口發展現況，探索我國未來方向

世界各國紛紛建置單一窗口系統，以促進該國貿易便捷與安全，部分進展較為快速的國家刻正進行單一窗口國際介接合作，利用單一窗口系統實行跨國貿易文件交換，例如，智利、哥倫比亞、墨西哥及秘魯等 4 國正就植物檢疫證及原產地證明等通關文件進行單一窗口國際介接合作，藉由即時傳輸標準化的電子通關文件，簡化貨物通關程序，加速貨物跨國運輸。我國海關業與中國大陸海關合作，透過雙方單一窗口傳輸 ECFA 貨物原產地證明，便捷兩岸商民貨物往來，未來將配合商民或其他機關需求，繼續推動與其他單一窗口國際介接合作。此外 UN/ESCAP 專家提出單一窗口系統結合大數據、人工智慧、區塊鏈或物聯網等未來發展方向。鑒於我國關港貿單一窗口已連結 28 個政府機關，成為通關資訊匯流平台，爰建議可探索大數據、人工智慧或區塊鏈應用在關務之可行性，進而導入強化海關業務執行效率及效能。

四、 增進與權利人合作，強化我國智慧財產權邊境保護

智慧財產權邊境保護一直是 SCCP 會議熱門議題之一，在本（2017）年 SCCP 年度工作計畫中，強化智慧財產權邊境保護以及增進與權利人之合作，已成為主要工作目標，其努力之方向，就是希望各國海關彼此分享仿冒與盜版案件之情資，並加強與權利人之合作。本年 8 月 24 日美國主辦之邊境執法下之商標侵權研討會（Workshop on Trademark-Infringement Determinations in a Border-Enforcement Context）特別邀請權利人共同參與並擔任主講人，與海關及商標主管機關共同分享打擊仿冒侵權之經驗，其目的就是為了汲取權利人之意見與建議，以強化智慧財產權邊境保護。由此可見，當前各國皆體認到權利人在智慧財產權邊境保護所扮演之重要角色，並積極與權利人合作。我們可以預見未來公私部門共同協力以打擊不法侵權已成為必然趨勢，為增進與權利人之合作，我國應與權利人就仿冒與盜版趨勢、真仿品與盜版品辨識資訊、教育訓練等面向加強交流，使權利人成為邊境執法之重要夥伴。

五、 積極參與國際活動，汲取實務經驗及業務措施

WTO、APEC、World Bank 或 WCO 等國際組織，肩負引領世界貿易潮流及推動通關便捷措施等責任，為提高經貿政策或措施之實施成效，常提供完善訓練計畫（programme）、工具（tool）或指引文件（guideline），以提升其組織會員國的專業能力，協助會員在國內實行相關政策及措施。我國囿於尚非部分國際組織之會員，無法完整使用其所提供的訓練計畫與工具，在此情境下，應充分利用現有國際資源，積極參與 WTO、APEC 會議及專業研討會，薦派熟稔業務或英文能力佳的同仁與會，間接汲取 World Bank、WCO 與 UN/ESCAP 等國際組織，或是其他會員經濟體的實務經驗及業務措施，並且將汲取之經驗分享給同仁，拓展海關業務主辦同仁視野，精進我國關務程序，有效便捷商民貨物通關。

六、 善用與各國代表交流機會，拓展雙邊業務合作

我國參與之國際組織十分有限，實應把握參與 APEC 會議之機會，積極與各國代表進行交流，以建立良好形象，增進彼此情誼，並促進未來雙邊與多邊合作發展之機會。因此，充分利用會議中場休息、午餐、晚宴及參訪行程等時間與各國代表聯絡感情非常重要。我國代表善用 SCCP 會議中場休息時間，與澳洲海關負責優質企業計畫（Australian Trusted Trader programme, ATT）代表就洽簽 AEO 相互承認協議（Mutual Recognition Agreement，MRA）交換意見，澳方表示非常樂意與我方海關 AEO 團隊續就此議題進行討論。除此之外，我方代表亦利用出席邊境執法下之商標侵權研討會期間與美國海關代表進行交流，就辦理智慧財產權能力建構議題交換意見，並達成未來合作辦

理相關研討會之共識。

七、 越南積極爭取國際資源，國力提升速度驚人

越南睽違 11 年再度主辦 APEC 會議（上次主辦 APEC 為 2006 年），各國代表咸認本次會議辦理相當成功，也讓各國見識到越南國力提升之速度驚人，不再是一般人眼中的落後國家。由於越南積極爭取國際資源，陸續取得多國協助強化其軟、硬體建設，因此，我方代表本次造訪胡志明市，明顯感受到越南的進步程度已不可同日而語。

八、 提早決定出席人選，充分進行會議準備

SCCP 會議及相關會議所涉及之領域多元，且議題眾多，我國 APEC 主辦單位若能提早作業，儘早決定各單位出席人選，給予參與會議之代表有較為充裕之時間準備會議簡報與相關發言資料，可使我方代表於會議中有更多發揮之機會，對於提升我國國際形象與國際地位將有很大助益。

柒、附件

Agenda

of the Meeting of the Sub-Committee on Customs Procedures

August 19-21, 2017
Ho Chi Minh City, Viet Nam

(*As of August 18, 2017*)

DAY 1 - SATURDAY, AUGUST 19, 2017		
08:30 – 09:00	Registration of the Participants	
OPENING REMARKS		
09:00 – 09:30	Welcome all delegates and officially opening the meeting	SCCP Chair
PHOTO SESSION		
09:30 – 09:45	Official photo	
AGENDA ITEM 1: ADOPTION OF THE AGENDA		
09:45 – 09:55	Review and adoption of the Draft Annotated Agenda	SCCP Chair
AGENDA ITEM 2: BUSINESS ARRANGEMENTS		
09:55 – 10:00	Brief on the program and administrative arrangements, including side-events	Viet Nam
AGENDA ITEM 3: SCCP1 2017 OUTCOMES		
10:00 – 10:20	Provide the highlights of the SCCP1 2017 outcomes	SCCP Chair
10:20 – 10:40	Update projects including budget and funding criteria for APEC projects.	APEC Secretariat
10:40 –11:00	**Coffee Break**	
AGENDA ITEM 4: SOM2 AND CTI DEVELOPMENTS		
11:00 – 11:15	Report on SOM2 and discuss on SCCP's collaboration with CTI	CTI Chair

11:15 – 11:30	Discussion on the FTAAP Lima Declaration Action Plan	SCCP Chair
11:30 – 11:45	Provide comments or share information	Member Economies
AGENDA ITEM 5: IMPLEMENTATION OF THE WTO AGREEMENT ON TRADE FACILITATION		
11:45 – 12:00	Present updates on the WCO Mercator Programme and WTO-ATF implementation	WCO Representative
12:00 – 12:15	Provide the results and outcomes of the Workshop on Enhancement of Stakeholder Engagement in the Implementation of the WTO-TFA	Viet Nam
12:15 – 12:30	Provide comments or share information	Member Economies
12:30 – 14:30	**Lunch Break**	
AGENDA ITEM 6: SUPPLY CHAIN CONNECTIVITY FRAMEWORK		
14:30 – 14:45	Update the progress of the SCFAP II Action Plan	CTI FOTC TF Lead / PSU
14:45 – 15:00	Present the outcomes of the PSU study on the Application of Global Data Standards (GDS) for APEC Supply Chain Connectivity	PSU
15:00–15:15	Present the progress of the Workshop to identify factors affecting clearance in import and export processes made by MSMEs	Peru
15:15-15:30	To brief on the project proposal "Implementation of the Guidelines for APEC Customs Transit"	Chile
15:30 – 15:45	Provide comments or share information	Member Economies
AGENDA ITEM 7: SINGLE WINDOW		
15:45 – 16:00	Present the results and outcomes of the Single-Window Workshop	The United States
16:00 – 16:15	Present progress of the Study on Single Window Systems' International Interoperability	PSU
16:15 – 16:30	Present the Integration and Interoperability of Chinese Taipei Single Window	Chinese Taipei

16:30 – 16:35	Present an update on New Zealand's Trade Single Window	New Zealand
16:35 – 16:50	Provide comments or share information	Member Economies
16:50 – 17:00	**Coffee Break**	
AGENDA ITEM 8: AUTHORIZED ECONOMIC OPERATOR		
17:00 – 17:15	Provide the information about developments of the AEO program in Viet Nam	Viet Nam
17:15 – 17:30	Update on the APEC Regional AEO Program Initiative	Korea
17:30 – 17:40	Update on the Workshop and In-Economy Capacity Building Initiatives on AEO Programs	The Philippines
17:40 – 18:00	Provide comments or share information	Member Economies
19:00 – 21:00	**WELCOME DINNER**	

DAY 2 – SUNDAY, AUGUST 20, 2017		
AGENDA ITEM 9: INFORMATION TECHNOLOGY AND RISK MANAGEMENT		
09:00 – 09:15	Present the developments of risk management system in customs management of Viet Nam Customs	Viet Nam
09:15 – 09:45	Provide comments or share information	Member Economies
AGENDA ITEM 10: INTELLECTUAL PROPERTY RIGHTS		
09:45 – 10:00	Present the IPR Guidelines document	The United States
10:00 – 10:15	Provide ongoing of the National Steering Committee for combating smuggling, commercial fraud and counterfeits	Viet Nam
10:15 – 10:30	Present on Customs' Efforts in Combating Trademark Infringement	Chinese Taipei
10:30 – 10:45	Provide current trend of IPR infringements	Japan
10:45 – 11:00	Provide comments or share information	Member Economies
11:00 – 11:15	**Coffee Break**	
AGENDA ITEM 11: CROSS-BORDER E-COMMERCE		
11:15 – 11:30	Present an update on WCO's work on e-commerce	WCO representative
11:30 – 11:45	Present on Indonesia Customs – Postal Service AEI Initiative: Facilitating Cross Border E-Commerce	Indonesia
11:45– 12: 00	Provide comments or share information	Member Economies
AGENDA ITEM 12: COLLECTIVE ACTION PLAN		
12:00 – 12:15	Provide the results of the Time Release Survey Questionnaire	Viet Nam
12:15 – 12:30	Present the findings of the updated IPR Check Sheet	Hong Kong, China
12:30 – 12:45	Update the collective action plan/comments	CAP Coordinators/ Lead Economies

12:45 – 14:30	**Lunch Break**	

AGENDA ITEM 13: CUSTOMS TO CUSTOMS COOPERATION

14:30 – 14:45	Present updates on Survey of the international legal instruments, which will ensure the effective interaction between Customs Administrations of APEC economies	Russia and Chile
14:45 – 15:00	Present the Terms of Reference on granting to the Russian Customs Academy the status of APEC Training Centre	Russia
15:00 – 15:15	Present Japan Capacity Building Activities	Japan
15:15 – 15:30	Provide comments or share information	Member Economies

AGENDA ITEM 14: COLLABORATION WITH APEC COMMITTEES, SUB-FORA, AND WORKING GROUPS

15:30 – 15:45	Update on the Chemical Dialogue analysis	The United States
15:45 – 16:00	Present updates on the 2017 Boracay Action Agenda to Globalize MSMEs (BAA) Stocktake	The Philippines
16:00 – 16:15	Provide the outcomes on the Workshop on Customs Best Practices to identify Illegal Timber and Wood Products	The United States
16:15 – 16:30	Provide comments, or share information	Member Economies
16:30 – 16:45	**Coffee Break**	

AGENDA ITEM 15: OTHER MATTERS

16:45 – 17:00	Provide information about Global Conference on Transit	WCO Representative
17:00 – 17:15	Provide comments or share information	Member Economies
17:15 – 17:30	SCCP 2017 Chair invite member economies to volunteer as Friends of 2018 SCCP Chair	SCCP Chair
17:30 – 17:45	SCCP Chair invites the New Chair for APEC SCCP 2018 (Papua New Guinea) to deliver some remarks	SCCP Chair
19:00 – 21:00	**FAREWELL DINNER**	

DAY 3 - MONDAY, AUGUST 21, 2017		
AGENDA ITEM 16: UPDATE OF THE 2017 SCCP WORK PROGRAM		
09:00 – 09:30	Present and update the 2017 SCCP Work Program	SCCP Chair
AGENDA ITEM 17: ADOPTION OF THE 2017 SCCP SECOND MEETING REPORT		
09:30 – 11:00	Call upon the SCCP members to review and adopt the summary report of the 2nd meeting of SCCP 2017	Member Economies
11:00 – 11:30	**Coffee Break**	
DOCUMENT ACCESS		
11:30 – 11:45	Determine the confidentiality of meeting documents and reports	APEC Secretariat
CLOSING REMARKS		
11:45 – 12:00	Conclude the SCCP2 Plenary Session	SCCP Chair
12:00 – 13:15	**Lunch Break**	
13:30 – 18:30	**Cu Chi Tunnel Excursion**	

WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES

WTO Trade Facilitation Agreement
and the WCO Mercator Programme

APEC Sub-Committee on Customs Procedures

19 August 2017
Ho Chi Minh City, Viet Nam

WTO TFA and WCO
WCO Strategic Plan

WCO Vision Statement
Borders divide, Customs connects
Dynamically leading modernization and connectivity in a rapidly changing world.

Customs in the 21st Century

Promote the security and facilitation of international trade, including simplification and harmonization of Customs procedures **Strategic Goal 1**	Promote fair, efficient and effective Revenue collection **Strategic Goal 2**	Protect society, public health and safety, and contribute to combating crime and terrorism **Strategic Goal 3**	Strengthen Capacity Building **Strategic Goal 4**
Economic Competitiveness Package	Revenue Package	Compliance and Enforcement Package	Organizational Development Package

Strategic Goal 5 - Promote Digital Customs to support, in particular, CBM and information exchange between all stakeholders

Strategic Goal 6 - Raise the performance and profile of Customs

Strategic Goal 7 - Conduct Research and Analysis

WCO Values

WCO Mission Statement
"The WCO provides leadership, guidance and support to Customs administrations to secure and facilitate legitimate trade, realize revenues, protect society and build capacity".

WCO's Role in Trade Facilitation

✓ Capability and responsibility for global standard setting for Customs

Standard Setting

Cooperation
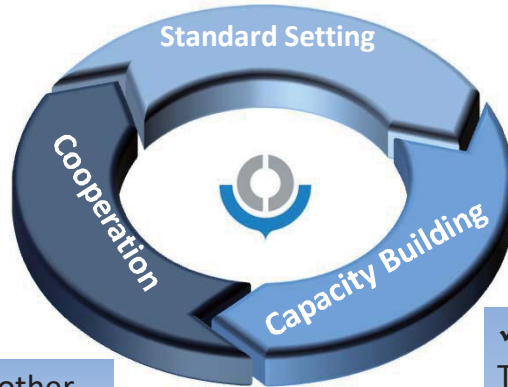
Capacity Building

✓ Cooperation with other international organizations and other agencies

✓ Capacity Building / Technical Assistance delivery
✓ Network of accredited experts from Customs Administrations
✓ Donor engagement

The role of Customs and other stakeholders in TFA implementation

Not for Customs 2%

Customs only 30%

All border agencies including Customs 28%

Customs is the main agency 40%

Customs has a role in implementing 100% of the technical measures (all Section I provisions except Art.1.3 + Art.23.2)
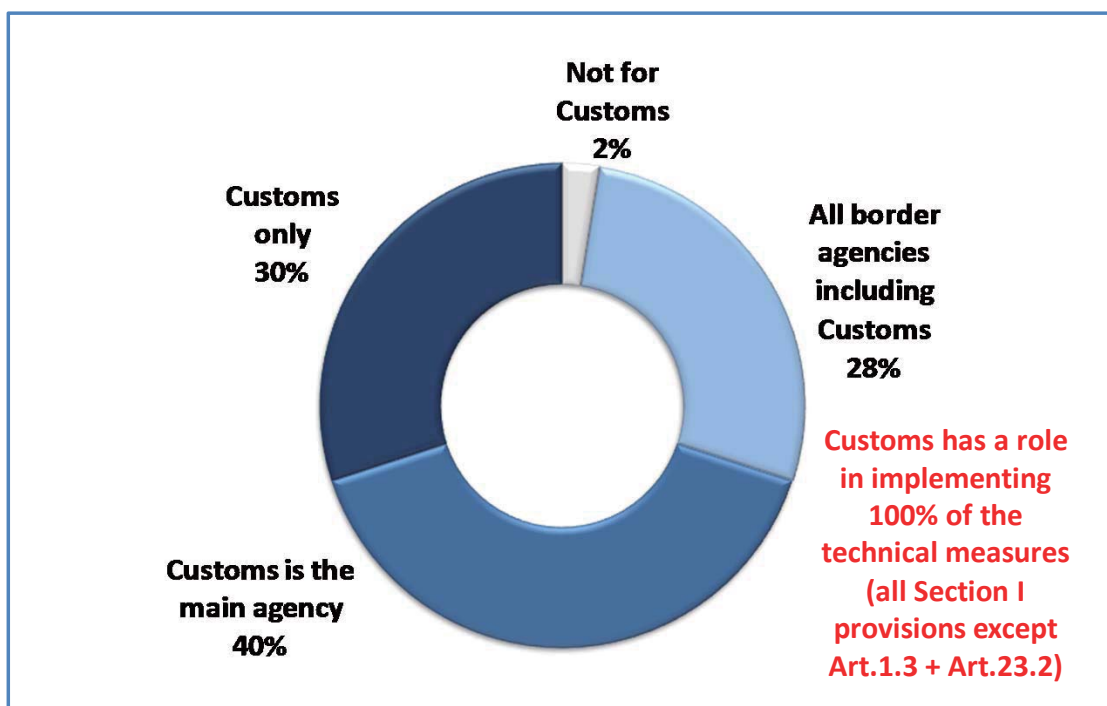
WTO TFA and WCO – key developments

Dec 2013		The WTO concluded the **Trade Facilitation Agreement** at the Ministerial Conference.
Dec 2013		The WCO adopted the **Dublin Resolution** to emphasize the WCO's commitment to the efficient implementation of TFA at the Policy Commission.
March 2014		1st Meeting of the **TFA Working Group**
June 2014		The WCO adopted **the Mercator Programme** to ensure its strategic initiative to support Trade Facilitation.
Nov 2014		The WTO adopted a **Protocol** of Amendment to insert the new Agreement into the WTO Agreement.
Feb 2017		The **TFA entered into force** on 22 February 2017.
March 2017		**Joint Meeting** of the TFA Working Group and the Capacity Building Committee
July 2017		A **Communique** was issued highlighting the support of the Customs Community to the entry into force of the TFA.

WTO TFA and WCO

WTO DG Roberto Azevêdo attended the WCO Council in June 2014. He congratulated the WCO on the creation of the new WCO Trade Facilitation Working Group and the launch the WCO Mercator Programme to support implementation of the TFA.

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Mercator Programme – Key Objectives

Mercator Programme
A Navigational Map for Trade Facilitation

➢ Tailor-made technical assistance and capacity building
➢ Harmonized implementation based on WCO's global standards
➢ Effective coordination among all stakeholders
➢ Beneficial for developing and least developed countries, all government agencies, donor institutions and private sector

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Mercator Programme

| Needs assessment | Planning | Delivery | Monitoring | Donor Funding/ Resource Mobilization |

Tailor-made track

TRS
Various diagnostic reports
Self-Assessment
Annual Survey

Strategic planning

CB/TA delivery

TRS
Performance indicators

ROCB

Showcase success stories

Customs-business Partnership | CBM
Regional integration | Other areas

Overall track

Funding — Approaching donors
Experts — Accreditation of experts
Awareness-raising — Regional WS with other government agencies | ROCB/RTC | National WS with other government agencies

Harmonized Implementation

Economic Competitiveness Package

Survey on National Committees on TF | NCTF Guidelines
Promotion of CBM Compendium
Promotion of Customs-Business Partnership Guide
Conference on regional integration | Promotion of WCO standards for regional integration
Promotion of Transit Handbook, development of Transit Guidelines
Promotion/regular update of TFA Implementation Guidance
Ensuring integrity

Coordination with other international organizations

Upgrade of WCO's tools and best practices

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WCO Main Instrument to support the TFA

**Revised
Kyoto Convention**

京都規約

Let's talk ...

Your questions answered
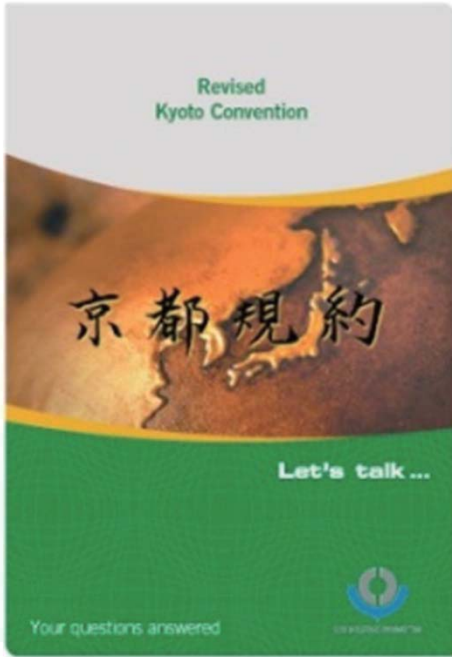
> The WCO Council adopted the Revised Kyoto Convention in June 1999 as the blueprint for modern and efficient Customs procedures in the 21st century

> Was the basis for the TFA negotiations

> Currently 112 Contracting Parties

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WCO tools to support the TFA

The WCO has developed a number of instruments and tools, which respond to Members' needs as regards TFA implementation. The WCO is continuing to develop and fine-tune an interactive guidance tool designed to help Customs implement the TFA.

Examples of WCO tools

Revised Kyoto Convention

SAFE Framework of Standards

Time Release Study Guide

Single Window Compendium

Data Model

Globally Networked Customs

Risk Management Compendium
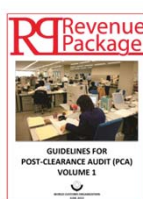
Post Clearance Audit Guidelines
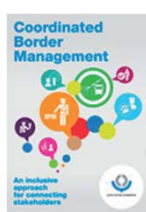
CBM Compendium

Customs-Business Partnership Guidance

NCTF Guidance

Technical Guidance on Advance Rulings

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WCO tools to support the TFA

Examples of most recent WCO tools

Transparency and Predictability Guidelines

Study Report on Customs Brokers

Transit Guidelines

E-learning course on the TFA

➢ Modules on the Articles of Section I
➢ Test

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WCO tools to support the TFA

www.wcoomd.org

- Mercator Programme
- NCTFs
- Analysis of Section I
- Implementation Guidance, etc.

Regularly updated

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Analysis of Section I

WTO AGREEMENT ON TRADE FACILITATION
- Analysis of Section I (and Article 23) based on the WTO TF Toolkit and potential implications on WCO -

Rev. 2, November 2014

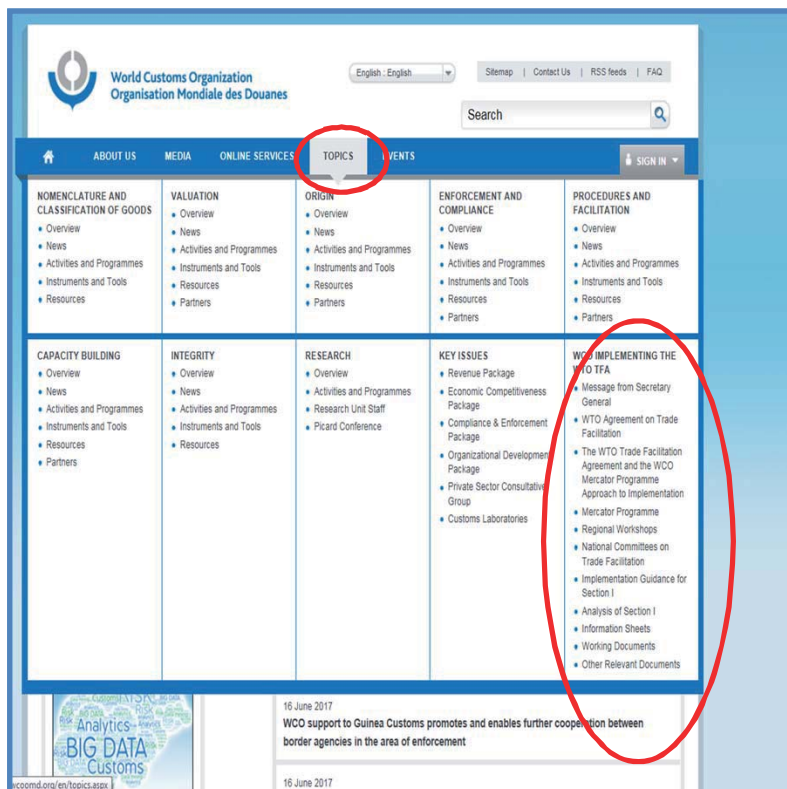| Article in the WTO Trade Facilitation Agreement (WT/L/931)	WCO Instruments, Tools, Guidelines (not exhaustive)	Remarks: • Overview • Links with other WTO agreements on SPS and Valuation, where applicable • Links with WCO instruments and tools • ICT considerations, where applicable	Possible implications	WCO Body concerned	Authorities concerned
ARTICLE 1: PUBLICATION AND AVAILABILITY OF INFORMATION					
1. Publication 1.1 Each Member shall promptly publish the following information in a non-discriminatory and easily accessible manner in order to enable governments, traders, and other interested parties to become acquainted with them: (a) procedures for importation, exportation, and transit	• Revised Kyoto Convention¹ (RKC), General Annex (GA) Chapter (§) 4 (4.4), § 9 (9.1, 9.2, 9.3); • Recommendation (1999) on the Use of World Wide Web sites by Customs administrations; • Revised Arusha Declaration; • Recommendation (2001) on the application of HS Committee Decisions; • Customs Valuation	Article 1.1 addresses publication of trade-related information (listed under Paragraph 1.1) which should be published promptly and in a non-discriminatory and easily accessible manner that will allow other governments, traders and interested persons to become acquainted with them. Article 1.1 is cross-cutting with Article 1.2, 1.3 and 1.4. Furthermore, Articles 6.1, 10.6, 11.14 and 11.15 foresee publication of certain types of	- Consider developing comprehensive WCO guidelines for transparency and predictability. This was discussed at the 2ⁿᵈ Meeting of the TFAWG (September 2014) and at	• TFAWG • PTC³ • RKC/MC⁴ • SAFE WG⁵ • HSC⁶ • TCCV⁷ • IMSC	It is necessary to have an arrangement in place to identify the agencies responsible for publication of trade information, to define the scope of their responsibilities and the mechanism to

¹ Wherever a reference is made to the Revised Kyoto Convention (RKC), this refers to both the Standards in the General Annex or a Specific Annex, as well as to the accompanying RKC Guidelines.
² Permanent Technical Committee
³ Revised Kyoto Convention Management Committee
⁴ SAFE Working Group
⁵ Harmonized System Committee
⁶ Technical Committee on Customs Valuation

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Implementation Guidance

The Implementation Guidance is available
on the public WCO web site

TRADE FACILITATION
WCO IMPLEMENTING WTO TFA

Available in:
English
French
Spanish

http://www.wcoomd.org/en/topics/wco-implementing-the-wto-atf/atf.aspx

An offline version can be downloaded

The WTO TFA Facility contains a reference to the WCO Implementation Guidance

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Implementation Guidance

Implementation Guidance

The Guidance presents the relevance of WCO instruments and tools such as the Revised Kyoto Convention for TFA implementation.

WCO tools for Article 7.7 (Authorized Operators)

- Revised Kyoto Convention
- SAFE Framework of Standards
- AEO Implementation Guidance
- AEO Compendium
- Model AEO Appeal Procedures
- AEO Benefits: Contribution from the WCO Private Sector Consultative Group
- The Authorized Economic Operator and the Small and Medium sized Enterprise (FAQ)
- Mutual Recognition Arrangement/Agreement Guidelines
- AEO Template

Implementation Guidance

The Implementation Guidance introduces Members practices and experiences of implementing the TFA.

Members' experience regarding Article 10.4 (Single Window)

Mercator Programme Tailor-made track
Introduction

Approach
- ➢ Needs assessment, diagnostic
- ➢ Strategic planning and implementation
- ➢ Monitoring and evaluation

Principles
- ➢ Ownership
- ➢ Needs-based support
- ➢ Partnerships
- ➢ Results-based management
- ➢ Sustainability

Mercator Programme
A Navigational Map for Trade Facilitation

Mercator Programme Tailor-made track

Pre-conditions for effective implementation

Strategic Plan	**Project Management**	**Stakeholder Engagement**	**Donor Coordination**
Strategic framework to define national TFA implementation priorities	Established focal point / project manager to coordinate inputs, supported by MPAs	Established relationships with other cross-border regulatory agencies and private sector stakeholders	Understanding of other relevant development partner inputs and identification of opportunities for collaboration

Mercator Programme Tailor-made track

Implementation Principles

- ➢ Link to WCO instruments and tools and TFA implementation guidance
- ➢ Assessment of previous interventions
- ➢ Consistency and relationship building
- ➢ Strategic combining of expertise
- ➢ Joint delivery with other development partners
- ➢ Multi-stage technical engagements
- ➢ Inclusion of people development / training perspectives

Mercator Programme Tailor-made track

"Customs to Customs" Approach
The WCO Network of Accredited Experts

SIX CATEGORIES OF WCO EXPERTS

Diagnostic Facilitators (DF)	Conduct holistic organizational assessments and review organizational reform and modernization programmes.
Customs Modernization Advisors (CMA)	Lead strategic discussion on reform and modernization at a senior Customs level.
Mercator Programme Advisors (MPA)	Support administrations with implementation of the WTO TFA.
Technical and Operational Advisors (TOA)	Engage with middle and senior management and provide advice on organizational development of specific programmes or projects (ten sub-categories).
Expert Trainers (ET)	Deliver learning events on specific subjects together with providing related coaching and mentoring support and when possible e-tutoring (six sub-categories).
Leadership and Management Development Advisors (LMDA)	Facilitate and deliver LMD workshops.

Mercator Programme Tailor-made track

The WCO Network of Accredited Experts
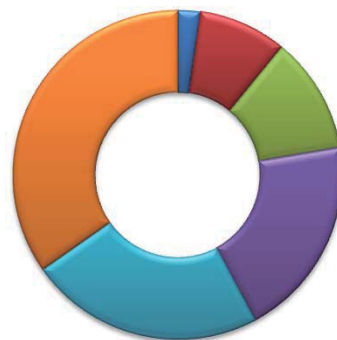
Figures as of Dec 2016

- 9 Leadership and Management Development Advisors (LMDA)
- 35 Mercator Programme Advisors (MPA)
- 46 Diagnostic Facilitators (DF)
- 80 Customs Modernization Advisors (CMA)
- 93 Expert Trainers
- 140 Technical and Operational Advisors (TOA)

Mercator Programme Tailor-made track

The WCO Network of Accredited Experts
TOAs sub-categories

- ➤ Authorized Economic Operator
- ➤ Data Model
- ➤ Intellectual Property Rights
- ➤ Post Clearance Audit
- ➤ Revised Kyoto Convention
- ➤ Risk Management
- ➤ Single Window
- ➤ Tariff & Trade Affairs
- ➤ Time Release Study
- ➤ Transit

Mercator Programme Tailor-made track

Progress to date

- ➤ More than 330 capacity building missions, including more than 40 inter-related missions in "early adopter" countries
- ➤ 11 scoping / diagnostic missions

- ➤ Mercator Programme operating model piloted in Afghanistan, Ethiopia and Sierra Leone

Thank you for your kind attention!

Vyara Filipova

Technical Attaché

Compliance and Facilitation Directorate

Vyara.Filipova@wcoomd.org

Workshop on Enhancement of Stakeholder Engagement in the Implementation of the WTO TFA

APEC – SCCP2

Ho Chi Minh City, August 2017

- WTO TFA's entry into force in Feb 2017;

- Proposed in the 1st SCCP Meeting in Nha Trang, Viet Nam in February, 2017;

- Co-sponsoring economies: Australia, Canada, China, Malaysia, Japan, New Zealand, Philippines, Chinese Taipei, Peru, Singapore;

- June 2017, adopted by APEC Secretariat.

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"Stakeholder engagement"

1. Emphasizing the crucial requirement of the cooperation;
2. Sharing the factual lessons and best practices;
4. Suggesting recommendations. The evolvement of all collaborators will pave a good way to reduce time and cost in trade transactions;
5. Seeking the technical assistance on WTO TFA Implementation;
6. Promoting the connectivity and mutual support among APEC members.

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PARTICIPATION

- **SSCP Chair and APEC Secretariat delivered the opening remarks.**

- **Delegates: 90**
- **Customs' representatives;**
- **Border agencies' representatives;**
- **Private sector's representatives;**
- **Policy makers;**
- **International donors.**

  Resourced Speakers: WCO, WTO, UN ESCAP, WB, APEC Members (Customs and relevant border agencies), VCCI.

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WWW.CUSTOMS.GOV.VN

1. **Presentations: Towards the Implementation of the WTO TF Agreement -Where do we stand?**
        WCO, UN ESCAP, JAPAN Customs.

2. **Panel Discussion: Engagement of Customs Administration and other Border Agencies in Trade Facilitation.**
        US Customs and Border Protection, China Customs, Korea Customs, Viet Nam Ministry of Health.

3. **Presentations: Strategies for fostering private sector participation in the TFA implementation process; expectations and experiences of collaboration in the National Trade Facilitation Committees.**
        International independent advisor on Transportation and Trade Facilitation, Viet Nam Central Institute for Economic Management – Viet Nam Ministry of Investment and Planning; Viet Nam Chamber of Commercial and Industry; World Bank.

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4. **Presentations: Technical Assistance and Capacity Building.**
        WCO; WB; Korea Customs Service; General Department of Viet Nam Customs.

5. **Wrap up and the way forward.**
   • **Key challenges and recommendations;**
   •**Draft Work plan;**
   •**Draft Outline survey.**

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KEY CHALLENGES

1. **Poor coordination between agencies and between government agencies and the and private sector;**
2. **Other Government Agencies (OGAs) often not fully committed to the TFA agenda;**
3. **Lack of an integrated approach to risk management and compliance management across agencies;**
4. **High level of support for TFA measures by private sector stakeholders - but their potential contribution to mobilizing political support for reform is rarely fully exploited;**
5. **National Trade Facilitation Committees involving both the private and public sectors are easy to establish but difficult to sustain;**
6. **Carrying out workshops / programs requires nurturing the pool of TFA experts;**
7. **More advanced diagnostic methods are necessary to better identify beneficiary countries' TFA implementation status.**

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KEY RECOMMENDATIONS

1. **Strong political will;**
2. **Unambiguous reform mandate from the highest levels of Government backed by strong inter-agency and private sector coordination ;**
3. **Clear implementation plan including roles, responsibilities, obligations and accountabilities identified for all key stakeholders**
4. **Harmonize different functions of customs between facilitation and security, whether being gate keeper or trade enabler and deploy customs coordination at/beyond/behind the border;**
5. **National Single Window need to be implemented to full potential;**
6. **Roles of private sector as input providers (information and complaints from their members), solution makers, implementers and supervisors**
7. **Create a list of contact points for capacity building and technical assistance (including developed member economies and international organizations);**

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Item	Action	Timeline/Conducted by
1	Create a list of contact points among SCCP members on the implementation of TFA	Sep 2017 by Viet Nam
2	Create a list of contact points for capacity building and technical assistance (including developed members economies and international organizations)	Sep 2017 by Viet Nam
3	Circulate a survey to both public and private sector on the measures to promote customs to customs cooperation in the region and enhance stakeholder engagement in the implementation of TFA.	Oct 2017 by Viet Nam
4	Collect feedbacks from members on item (3) to compile the findings/recommendations and present to the first SCCP meeting in 2018 to be used as a reference document for SCCP members	SCCP1 2018 by Viet Nam
5	Based on the result of item (4),consider and propose further possible activities/workshop(s) on stakeholder engagement in the implementation of TFA	SCCP1 2018 by Viet Nam
6	Conduct annual needs survey among SCCP members and send to the contact points of developed members economies as well as international organizations for consideration of support or technical assistance.	Annually after SCCP2 Viet Nam would like to propose Mexico, as the Coordinator of the CAP item on "Enhancement of cooperation with stakeholders", or any volunteer member to do this task.

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- **Date of distribution and collection: October 2017 - November 2017;**
- **Results collected will be presented to SCCP at SCCP1 2018;**
- **The survey's objectives as set in the project proposal:**

(i) To determine the challenges and share the factual lessons and best practices on stakeholder engagement in trade facilitation within APEC.

(ii) Develop a framework for better cooperation within SCCP.

(iii) Possible resources for capacity building and technical assistance to implement the TFA.

(iv) Suggest recommendations on how to engage stakeholders in implementing the TFA.

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How relevant was this project to you and your economy?
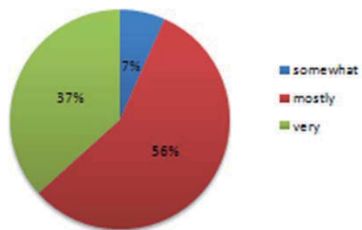
The Objective of the training were clearly defined?
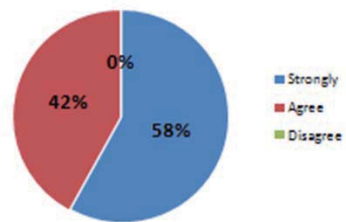
Rate your level of knowledge of and skills in the topic prior to participating in the event
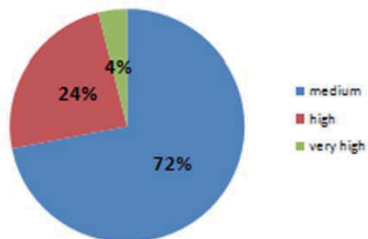
The project achieved its intended objectives?
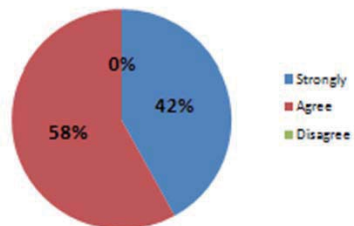
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THANK YOU!

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MONITORING FRAMEWORK OF SUPPLY-CHAIN CONNECTIVITY FRAMEWORK ACTION PLAN II 2017-2020

SCCP Plenary, 19-21 August 2017

Presented by:
Akhmad Bayhaqi
APEC Policy Support Unit

Supply Chain Connectivity Framework Action Plan (SCFAP): 2017-2020 *(phase 2)*

"To reduce trade costs across supply chains & to improve supply chain reliability in supporting the competitiveness of business in the Asia Pacific region"

Chokepoint 1: lack of coordinated border management and underdeveloped border clearance and procedures

- To improve coordination through modernisation and harmonisation within border agencies.

Chokepoint 2: inadequate quality and lack of access to transportation infrastructure and services

- To improve transportation infrastructure quality which will determine the efficiency and reliability of supply chain operations
- To ensure that there are good port facilities and cross-border logistics cooperation in order to enable firms to send their goods at the required time as demanded by business partners and customers
- To ensure short transit times, reliable delivery schedules and secure maritime trade at reasonable costs
- To promote multi-modal transportation to enhance transportation efficiency and reduce congestion
- To encourage private participation and transparency related with the financing of transportation infrastructure projects

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The Trade Facilitation Action Plan (TFAP)

APEC
Asia-Pacific
Economic Cooperation

Chokepoint 3: unreliable logistics services and high logistical costs

- To improve quality and options for logistics service, through innovation and a more competitive market in logistics sector
- To have wider options to develop logistics services

Chokepoint 4: limited regulatory cooperation and best practices

- To promote better regulatory coordination and cooperation among trade authorities and with private stakeholders.

Chokepoint 5: underdeveloped policy and regulatory infrastructure for e-commerce

- To streamline procedures, improve supply chain visibility and better collaboration in e-commerce.

Chokepoint 1: lack of coordinated border management and underdeveloped border clearance and procedures

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Challenges	Stakeholders	Targets
- Narrow border administrative focus in some economies	- Border agencies - Service providers - Industry bodies	- Reduce the time and cost affiliated with trade procedures/clearance in APEC, including facilitating cargo transhipment procedures
- Incoherent and outdated legislative and regulatory frameworks	- Trading partner administrations and industry	- Alignment of supply chain security, trade facilitation, revenue policy and industry assistance schemes
- Legacy systems reaching capacity	- National committees on trade facilitation	- Modernisation of systems at the border
- Cost of data harmonisation	- Importers, exporters, carriers, customs broker, transport operators	- Streamlining formalities and documentation requirements for import and export
- Lack of capacity to modernise ICT systems		- Lower fees
- Duplicative documentation	- SCSC, MAG, SCCP	- Better facilitation of data exchange and sharing across trade communities
- Lack of information sharing while caring data security		- Better consultation and transparency in cost recovery and cost sharing framework
- Cost recovery frameworks that could burden the private sector and/ or to hinder modernisation efforts		- Minimize intervention through joint control and mutual recognition
		- Building efficient infrastructure to streamline and rationalize the lodgement of information
		- Better cost sharing framework among stakeholders
		- Capacity building in certain gap areas

Chokepoint 1: lack of coordinated border management and underdeveloped border clearance and procedures

Action Plans

- Expand the application of TRS (Time Release Survey).
- Strengthen the e-payment system.
- Expand Mutual Recognition Arrangement (MRA) of Authorized Economic Operators (AEO) between APEC economies.
- Harmonise cargo treatment standards to increase biosecurity assurance and facilitate trade.
- Identify all border agencies and their respective forms and documents affecting import and export.
- Leverage Global Data Standards (GDS) in coordinated border management to ensure improved visibility across APEC supply chains
- Maintain an electronic system for clearing goods at the border that can adapt to future technologies regarding online/electronic forms including by adopting state-of-the-art ICT technology and Digital Customs.
- Maintain an open and transparent dispute settlement mechanism with published timelines and procedures for arbitrating disputes between importers and customs agencies in line with respective domestic laws and regulations of members.
- Conduct capacity building for customs officers.
- Promote the establishment of the National Committee on Trade Facilitation in each member economy to implement the Trade Facilitation Agreement.
- Promote greater inter-agency dialogue and interaction among border agencies on trade facilitation and border control, which may be achieved through the establishment of a border coordination unit or authority.
- Share experiences on appeals and reviews including procedures, and transparency.
- Strengthen the implementation of the Single Window by member economies and to work towards international Single Window interoperability.

Chokepoint 1: lack of coordinated border management and underdeveloped border clearance and procedures

Measurement of Progress/Indicators

- LPI: clearance time with/without physical inspection; physical inspection (%); multiple inspection (%); and
- DB: cost and time to import and export based on border compliance
- To fulfil commitments in Article 7, 8, & 10 WTO TFA by end of SCFAP II.
- DB: cost and time to import and export based on documentary compliance
- LPI: declarations submitted and processed electronically and on-line (%)
- DB: DTF score for TAB
- LPI: efficiency of customs clearance process
- ETI: burden of customs procedures (2007-2012); customs services index; efficiency of the clearance process (2012-onwards).
- Scope of benefits offered through trade compliance/AEO programmes.

Chokepoint 2: Inadequate quality and lack of access to transportation infrastructure and services

Challenges	Stakeholder	Targets
- Keeping up with the volume of trade - Limited financing and staffing - Inadequate multi-modal transportation service - Inefficiencies in public infrastructure bidding - Balancing environmental challenges with economic demands	- Department of transportation - Port authorities - [Customs, border control agencies] - [SCCP], TP-TWG - Bureau of integrity - International finance institutions (WB, ADB, AIIB) - e-Port network - Environmental Protection Agencies	- Supply chain integration and collaboration for information sharing and expedite transportation - Enhance access and quality of transportation infrastructure - Integrated multi-modal transportation and increase professional multi-modal transporter - Seeking more funding resources to facilitate effective and efficient public and private partnerships - Provide technical assistance and capacity building - Better transparency and integrity in tender process, as well as better framework for disclosing irregularities

Chokepoint 2: Inadequate quality and lack of access to transportation infrastructure and services

Action Plans

- Study public-private partnership models in exploring new paths for funding future regional infrastructure.

- Examine and analyze ways to reduce corruption, such as through automation of government processes and reducing duplicative approvals in infrastructure investment and implementation processes to ensure high-quality infrastructure projects are developed across APEC economies.

- Establish an electronic data exchange network between ports and port/logistics operators and their collaboration, such as but not limited to the Asia Pacific Model Export Network (APMEN).

- Raising the profile of maritime trade route safety and security within APEC forums.

- Promote capacity building efforts on quality infrastructure.

- Share experiences and best practices in enhancing capacity of multi-modal transportation.

Chokepoint 2: Inadequate quality and lack of access to transportation infrastructure and services

Measurement of Progress/Indicators
- ETI: transport and communications infrastructure sub-index
- ETI: availability and quality of transport infrastructure; availability and quality of transport services
- LPI: quality of trade and transport infrastructure
- Time Release Survey data provided by economies
- TI: corruption perception index
- BPP: Procurement Life Cycle
- RMT: liner shipping connectivity index

Chokepoint 3: Unreliable logistics services and high logistical costs

Challenges	Stakeholder	Targets
- Defining the logistics sector for competition policy purpose	- Warehousing	- Reduction in lead time
- Encouraging innovative behaviour from firms	- Customs broker	- Improve efficiency, reliability and risk management in logistics (shipping)
- Insufficient data for assessing the current situation	- Freight forwarder	- Transparency in logistics regulatory framework and business practices
- Competitive environment for MSMEs	- Shipping airline agents	- Improve competition
	- Terminal operator	- Better code of ethics in the logistics service
	- Cargo handlers, airlines and owners	- Provide technical assistance and capacity building especially for MSMEs
	- Importers and exporters	
	- Banking	
	- EC, GOS, [SCCP]	

Chokepoint 3: Unreliable logistics services and high logistical costs

Action Plans

- Strengthen the use of e-payment systems to provide more flexibility for MSMEs in logistics and combat corruption in the public sector.

- Consider growing MSMEs' awareness and participation in capacity building activities in the logistics sector.

- Consider the role of logistics services in transportation and multimodal infrastructure investment planning.

- Provide specific workforce development programs for transport and logistics skills training.

- Enhance roles of logistics services in multi modal transportation investment.

- Provide capacity building programs for the member economies in logistics and transportation sectors.

- Further APEC Cooperation Network on Green Supply Chain (GSCNET) to improve green efficiency of supply chain in the Asia-Pacific region

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Chokepoint 3: Unreliable logistics services and high logistical costs

Measurement of Progress/Indicators
- LPI Index
- LPI: lead time to import/export and costs to import/export
- LPI: ease of arranging competitively priced shipments, competence and quality of logistics services, ability to track and trace consignments, timeliness of shipments in reaching destinations within the scheduled or expected delivery time
- DHL: connectedness index
- ITU: active mobile broadband subscriptions per 100 inhabitants
- TI: corruption perception index

Chokepoint 4: Limited regulatory cooperation and best practices

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Challenges	Stakeholder	Targets
- Lack of coordination, collaboration and cooperation between trade-related agencies - Changing priorities and administration - Data exchange and automation - Limited public engagement in the development of trade policy - Limited public access of trade-related information	- Border and trade agencies - Traders community - Other stakeholders - SCCP, A2C2, SCSC, CTI, EC, TPT-WG	- Capacity building to improve inter-agency cooperation - Improve strategic coordination among different agencies - Improve information exchange and access both at the local and regional level - Strengthening procedural and regulatory transparency (including public consultations) in the development of trade-related policies - To have sufficient and meaningful interval between final regulation and entry into force so that stakeholders can comply - Provide timely and accurate information on rules and regulations impacting import and export activities both at the local and regional level (including improving the APEC trade repository) - Share best practices for an appeals system that is accessible, transparent, and accountable for all stakeholders. - Strengthen accountability of all border agencies to traders regarding transactions and shipments - Adopt international standards for best practices and make use of international instruments to facilitate regulatory cooperation

Chokepoint 4: Limited regulatory cooperation and best practices

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Action Plans

- Provide timely and accurate information on rules and regulations impacting import and export activities including through the APEC Trade Repository.

- Ensure procedural and regulatory transparency in the development of trade-related policies.

- Share practices of procedures for soliciting, collecting and considering public comments.

- Share practices for an appeals system that is accessible, transparent, and accountable for all stakeholders including foreign stakeholders.

- Create or update practical guides in one of the three languages of the WTO on importing, exporting, and transit for an economy's territory so that traders, especially MSMEs can become familiar with the rules and procedures. This could be uploaded to the APEC Trade Repository.

- Make available suggestion and query mailboxes via the internet, providing answers within an expanded and convenient timeframe thus allowing users from different parts of the region to access and obtain a reply at the earliest.

Chokepoint 4: Limited regulatory cooperation and best practices

Measurement of Progress/ Indicators
- Compendium of relevant best practice examples from APEC economies
- Information contained in the trade portal and its utilisation rate
- To fulfil commitments of Articles 1.2 and 1.3 of WTO TFA by end of SCFAPII
- Survey for identifying capacity gaps
- Identify touchpoints between border agencies, identify business process for each border agency
- Identify all border documents, forms and fees within each economy with a view to reducing redundancies, and increasing transparency
- Adoption of international standards and application of international instruments

Chokepoint 5: underdeveloped policy and regulatory infrastructure for e-commerce

Challenges	Stakeholder	Targets
- Surge of transaction volume in e-commerce - Risk from postal shipment - Education awareness for MSMEs on rules of trade - Visibility/tracking and privacy - Trade complexity for MSMEs - Combatting against IPR infringement, tax evasion and illegal drug and fire arms trafficking, etc.	- Customs - Postal service and/or operators - E-commerce agencies and business - Logistics providers - SCCP, ECSG, IPEG, SCSC	- Consider additional ways to streamline procedures further e.g. around WCO Immediate Release Guidelines - Consider new models of customs administration - Collaboration between Customs and Post, e.g. data exchange, reporting, MOU - Publish information to enhance awareness – rules of trade, tax rates - Implement capacity building for MSMEs - Explore ways to enhance visibility with all players of the e-Commerce eco-system (e.g. through the adoption of Global Data Standards) - As part of efficient risk management, WTO TFA 7.4, and 7.8 recognise different shipment values, and reduce customs formalities and documents for lower value shipments, while also exploring the benefits and challenges of a de minimis value and how it can facilitate low value, low volume products - Explore facilitative channel/ procedures for low value shipments - Explore ways to develop streamlined dispute resolution methods suited for the online environment which are also cost-efficient for MSMEs

Chokepoint 5: underdeveloped policy and regulatory infrastructure for e-commerce

Action Plans

- Reconcile existing trade regulations with the novel movement of goods via ecommerce.

- Create access to reliable and accessible shipping options for MSMEs by promoting a fast and efficient environment for Expedited Shipments.

- Establish streamlined customs clearance procedures for e-commerce, notably based on accurate and timely advance information provided by the operators, and providing convenient, low-cost, secure, swift, round-the-clock customs clearance.

- Ensure consumer protection, privacy protection, commercial fraud control, IPR infringement elimination, and cyber security.

- Counter against organized criminal activities.

- Promote on-line transactions through improved regulations and market supervision, and secure and convenient payment services.

- Promote MSMEs participation into global e-commerce.

- Promote work on streamlining customs procedures and duties in line with the APEC Boracay Action Agenda to Globalize MSMEs and the Trade Facilitation Agreement

Chokepoint 5: underdeveloped policy and regulatory infrastructure for e-commerce

Measurement of Progress/Indicators

- Faster clearance, reduction in number of documents, less cost for e-commerce

- Seamless integration with existing host systems/technology

- Increase levels of compliance, transparency and safety/security for traders and consumers
- To fulfil commitments in Article 7.8 WTO TFA by end of SCFAP II
- UPU: Postal reliability index

- UNCTAD Cyberlaw Tracker on Legal and Regulatory Frameworks for e-commerce

- UNCTAD: B2C e-Commerce Index

Thank You

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Study on the application of Global Data Standards for APEC Supply Chain Connectivity – Phase 2

SCCP 2 Plenary, 19 - 21 August 2017

Presented by
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Introduction

- The uses of Global Data Standards (GDS) are relevant to most of the stakeholders of the supply chain, starting from the exporters, third party logistics providers, customs and/or border agencies up till the importers.
- The aim of this project is to examine how the application of GDS can improve the visibility and efficiency of the supply chain based on three GDS pilot projects.
- The performance is evaluated in terms of visibility/traceability, risk management/integrity, responsiveness, collaboration, and innovation.

Scope

- Three pilot projects to explore the benefits and costs of applying GDS at the product level.
  - Asparagus from Peru to the US
  - Durian from Malaysia to China and Hong Kong, China
  - Tequila from Mexico to the US are conducted
- These three pilots are the continuation of the previous two self-funded pilots on boxed meat and wine.
- The benefits and costs of applying GDS on supply chain performance for each nominated trade route are identified based on reports from firms participating in the pilots and from the respective GS1 offices.

Nature of GDS Intervention

- The three pilot projects utilised GDS at several levels as follows:
  - Serial Global Trade Item Number (SGTIN): a unique identification to the package.
  - GTIN (Global Trade Item Number): the ID of the product, brand owner information together with the documentation and certification details.
  - Serial Shipping Container Code (SSCC): linked to the information of each single SGTIN contains in the logistic units to provide the information about the quantity and the specific product information and certification via the EPCIS (Mi-Trace) platform.
  - Global Shipment Identification Number (GSIN): carries the information on the entire shipment.
  - GIAI (Global Individual Asset Identifier): used to capture the information on the asset used along the supply chain.
  - The Global Location Number (GLN): used to identify the location where the event occurred and to identify the stakeholder of the event.
  - The pilot projects use interoperable cloud-based EPCIS platforms (such as ezTRACK or Mi-Trace) to capture data throughout the supply chain (including cargo movement) to provide visibility and data sharing to the relevant parties, hence enabling better communications among stakeholders.

Method

- Three tasks are carried out to identify the impact of GDS on each supply chain.
  - The first is to conduct baseline surveys to identify the existing extent of supply chain visibility stakeholders have.
  - The second step is to determine key performance indicators (KPIs) associated with each measure of efficiency, visibility/traceability, risk management/integrity, responsiveness, collaboration, and innovation.
  - Lastly, the impact of GDS on each supply chain is identified and evaluated based on the submitted reports from stakeholders and GS1 offices.

Benefits and Costs

ASPARAGUS

- The main quantitative benefits reported by the pilot are the savings from the time and resources used by Exporter for searching and consolidating information from shipping processes, temperature measurement and calls for visibility (consolidated into one single cloud tool, ezTRACK, in the pilot project) of USD 16,500 yearly. There are also other benefits of the reduction in truck reception times by 20% and assembly times for air dispatch by 50%.
- For the GDS costs of implementation, the total cost of investment is USD 18,350. Meanwhile, firm also reported that they need to spend USD 15,000 for adjusting and cleaning up data and around USD 3,000 for training.
- It is difficult to directly compare the cost and benefit figures as the timeline for these figures are different. The benefit streams could still be received in the coming years, whereas the investment costs of applying GDS could be expected to become smaller as firms becomes more familiar with GDS practices and Standards and Operating Procedures (SOPs).

Benefits and Costs

DURIAN

Estimated benefit to business	Estimated value (US$)
Reduced manual processes (e.g., labelling; data entry)	1,129
Improved product integrity	1,241
Improved ability to identify trends	451
Improved product traceability and visibility	1,354
Improved exceptions management e.g. improved management of additional delays (avoidance, detection, and mitigation)	790
Reduced time and cost to comply with border agencies or Customs (e.g. in terms of clearance and/or release of goods)	1,129
Improved communication between supply chain partners	677
General cost minimisation	564
Cost minimization when things go wrong	112,867
Improved customer reporting	564
Improved data quality	451

Benefits and Costs

DURIAN

- The highest estimated benefit being highlighted by the firm is on 'Cost minimization when things go wrong'. If a container is being detained at the port and causes damage to the products, it will cost half a million Malaysian Ringgit which is equivalent to USD 112,867 per container.

- Other significant benefits come from the reduction of manual processes and improved product integrity. Other benefits being mentioned are improvement in: the ability to identify trends, traceability and visibility, management of delays, communication between supply chain partners, customer reporting and data quality.

DURIAN

Estimated cost to business	Estimated Value (US$)
Adjusting to new data formats	10,926
Training costs	1,580
Staff time for training	1,242
Integration with proprietary platforms	5,463
GDS equipment and installation	3,386
GDS service subscription and/or retainer	98,330[#1]

- The highest cost will be incurred through the GDS service subscription and retainer, costing a total of USD 98,330. This cost item will include 9 months service subscription (if no subscription required thereafter) with an additional staff cost under a 3 year contract. Despite the seemingly high amount, the firm itself considered this as 'low' since the cost will be spread over the year(s).

TEQUILA

- The Tequila pilot focuses on proving the ability of GDS to detect forgery and missing products such that it could prevent thefts. Additionally, the pilot also tested about the accuracy of RFID scanning of both regular shipment and two containers. The pilot shows that the GDS system by using RFID has been able to detect forgery and missing products and the accuracy of data being captured from shipments is good.
- To quantify the GDS benefits from detecting forgery would depend on the application of GDS in individual companies. The potential benefits of reducing forgery in the tequila industry are substantial. The GS1 Tequila project report, cited data from Euromonitor International, noted that 43% of alcoholic beverages have their origin in forgery, illegal sales and undervaluation. In addition, the Tequila report also noted that in 2015, the industry suffers annual losses of 20 billion pesos, with a tax evasion of up to 6 billion pesos.
- The adoption of RFID has increased efficiency in reading speed of products contained in a pallet and has reduced operating time by 30% in operating time (from document issuance related to lots and shipment quantities) before the shipment is dispatched; from 9 hours to 6 hours.

Benefits and Costs

TEQUILA

Estimated Costs of GDS—Exporter 1

Estimated cost to business	Estimated Value (USD)
Adjusting to new data formats	300
Training costs	1,000
Staff time for training	300
Integration with our proprietary platforms	500
GDS equipment and installation	2,000
GDS service subscription and/or retainer	1,000

Source: GS1 survey.

GDS AND BORDER CONTROLS (GS1 NZ Report)

- GS1 NZ provided the examination on how GDS could further contribute to supply chain risk management issues at the border.
- The report highlighted that GDS can play an important role in improving the functioning of border agencies. Better allocation of resources and subsequent time savings are vital to border agencies given the complexity of their tasks which involve remits covering a diverse number of issues, interest of a vast number of agencies in border clearance and inconsistencies of agencies in terms of integration into single trade window systems.
- Based on the regulatory pyramid approach, border agencies need to identify traders that do not comply and do not want to comply by taking measures to avoid regulatory burdens. To implement a risk management system that prevents such action, timely and accurate information is required on the movement of goods.
- Carefully collected and stored data on the goods being transported prevents incomplete or misplaced documentation and consequently reduces the risk of non-compliance and hence customs scrutiny. However, border agencies use different technologies and data standards hence preventing uniformity in the analysis while there is a significant amount of common information required by agencies. The GS1 NZ report provided an example where a pilot conducted on five Canadian border agencies found 25% of 86 primary information attributes to be related to local regulatory requirements. This information can be more efficiently stored with the help of GDS.
- Overall, GDS could improve the accuracy and comprehensiveness of data and focus agency resources on more targeted activities.

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Conclusion: Benefits described from the pilots

Efficiency	Integrity	Visibility	Innovation
• Reduction of information search costs: a benefit of USD 16,500 yearly • Faster and accurate capturing of products information	Prevent detention of products (improved exceptions management). Better authenticity of information Shortening the time required for regulatory compliance and reducing error.	• Traceability among stakeholders • Allows real-time package tracking via the system enabling an immediate retrieval of information.	Ability to detect missing and forgery products Product recall process can be significantly improved by identifying the batch and serial number of the defect products. Temperature monitoring of shipments

Conclusion

The following key costs has been identified:

1. GS1 service subscription fees: these fees range from USD 6,000 to USD 98,330; depending on the length of subscription and services adopted.
2. Equipment and software costs: equipment for RFID equipment and software range from USD 3,386- USD 5,050 (equipment) and USD 5,463 to USD 7,300 (integration with propriety platform/software)
3. Data cleaning and adjustment: Adjusting to new data formats was estimated to cost around USD 300 to 11,000. The amount would differ depending on the level of GDS functionality being applied to particular products. Data cleaning is reported to cost around USD 5,000.
4. Staff training: Staff training costs are reported to be around USD 1,000 to USD 1,580. This involves operating ezTRACK visibility platform, the reading in the RFID equipment and the operation of the temperature PODs.

Conclusion

- The pilots have demonstrated the potential benefits (and costs) that could be delivered by GDS; as reported by GS1 offices and stakeholders.
- Whether these benefits could be further realised in the long-term, would be dependent on the firms' adaptation process of using the GDS system.
- Once a firm is more familiar with GDS, it could develop more efficient processes for operating the system and costs could be further reduced, and it may find additional benefits of GDS application in the long-term.

Adoption of GDS

- There are several drivers that determine the adoption of GDS.
  - One of the main drivers for its implementation is the firm's technological capacity.
  - The size of the company is another determinant as it establishes the potential for GDS to simplify processes and the ability to afford the system
  - A multi-pronged strategy is being advised from the Phase 1 report to facilitate the adoption of global data standards across APEC supply chains. Industry facilitation needs to be supported through initiatives with manufacturers and logistics service providers such as establishing a global data standards certification system and linking micro, small and medium enterprises (MSMEs) to standards-compliant suppliers.
  - The need for product authenticity to maintain the firm's goodwill and integrity also promotes the adoption of GDS.
  - Lastly, high regulatory risk that could lead to costly detention encourages firms to adopt a more efficient mode of data exchange.

Main challenges

- There are several main challenges to GDS adoption
  - The lack of awareness of the possible uses of GDS and the need for stronger justification to change existing systems.
  - Better collaboration and engagement among supply chain stakeholders to further understand the opportunities as well as the challenges for GDS implementation is necessary to improve its wider adoption.

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Study on Single Window System International Interoperability: Key Issues for Its Implementation

Rapid Survey Results

SCCP Plenary, August 2017

Prepared by
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APEC Policy Support Unit

Introduction

- This survey is a subset of a broader study being conducted namely **"Study on Single Window Systems' International Interoperability: Key Issues for Its Implementation".**
- With the the UN/CEFACT Recommendation No. 36: Single Window Interoperability (SWI) document published in January 2017, we wanted to gauge where APEC members are with their SWI program using the Recommendation as a yardstick.
- Responses received from the survey: 14 economies

Disclaimer

- Analysis of survey is not complete and therefore the insight generation is also unfinished.
- Purpose is to share preliminary results to sharpen our focus on the essentials.
- Not all data points will be covered due to time limitations.

Scenario

- <u>2007</u> Decade-long drive for SWI Interoperability (APEC SCCP Strategic Plan, 2007).
- <u>2009</u> APEC SW Implementation Guide (2009) highlighted data sharing among SWS and experience sharing among economies.
- <u>2016</u> APEC Ministers Responsible for Trade "welcome(d) the Initiative on Single Window Systems' International Interoperability which aims to foster the flow of goods, enhance supply chain security, reduce costs and provide quality and timely information on trade across borders and encourage(d) economies to begin discussions next year on establishing pilot projects on voluntary basis".
- <u>2017</u> Many economies are at different stages of SWI
  - Some still developing a NSW
  - Some in the planning stages for SWI
  - Some by acclamation (ASEAN, Pacific Alliance)

Coverage

- Drive for SWI
- Possible levels of interoperability
- Interoperability legal framework
- Prioritized Principles for SWI
- Bottom-line

Drive for SWI

- Transnational objectives driving expanded SWI.
- SWI is much more than supporting trade facilitation (i.e. customs and border procedures) and enforcement.
- Enabler for APEC's regional integration priorities to (1) improve border management and clearance procedure (2) promote better regulatory cooperation, (3) improve infrastructure for e-commerce, (4) a more reliable and lower cost of logistics and (5) better access to transportation infrastructure and services.

2. What are some of the key reasons why your economy would pursue SWI?
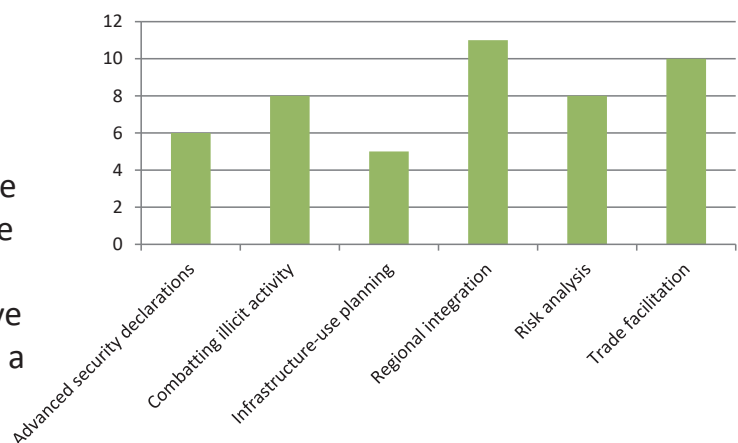
Possible Levels of Interoperability

- Back to basics: 3 technical ingredients of achieving interoperability are:
  1. Terminology
  2. Minimum data sets
  3. Standards
- Why the ongoing seemingly perpetual challenges?
  - Achieving semantic interoperability transcend the technical, as there are cultural, social, policy and economic barriers to data sharing.
  - Furthermore, vendors have problems with standards – they make it more challenging to differentiate their products and services and lock-in user loyalty.
  - And because of this … there are many standards … and many are not enforceable.
- Where should we start?
  - Establish terminology, data and standards first; followed by business processes.
- Let's examine the survey results …

Possible Levels of Interoperability

- Terminology (common language, data model)
  - Core Component Library (CCL)
  - WCO Data Model
  - UN/ ...
- Overwhelming number indicate they follow internationally recognized standard
  - 2 of 13 economies have NOT harmonized data based on international standards
  - 9 out of 11 economies use WCO DM v3.4 or earlier
- Nearly all are use multiple data models (such as UNTDED, UNE/ EDIFACT, UN/ CEFACT)

27. Have you harmonized the data of your Single Window participating agencies according to internationally recognized standards?
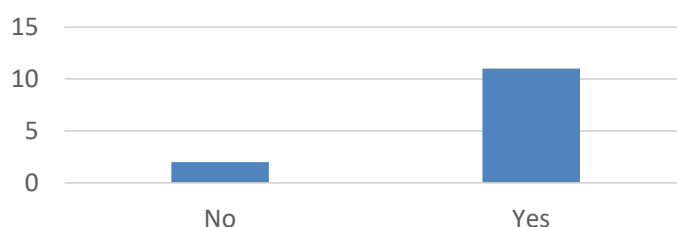
Answer Choices	Responses	
WCO Data Model version 3.4 or earlier version	81.82%	9
WCO Data Model version 3.5	27.27%	3
UN/EDIFACT	63.64%	7

Possible Levels of Interoperability

- Minimum answer datasets (minimum harmonized information required to send data across boundaries)
  - Creation of datasets (CCTS 2.01)
- A bit short to hit the required goal
- 4 economies have indicated the use of Core Component of Technical Standards or similar
- 2 still in the planning stages
- Rest does not have information or does not apply CCTS in developing the minimum answer datasets
- A way to getting around different scenarios is the optional part suffix UCR used by 6 economies

Possible Levels of Interoperability

26. Have your NSW datasets been created using the Core Component Technical Specification 2.01?
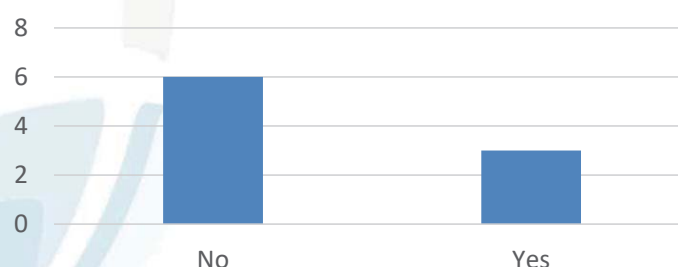
Answer Choices	Responses	
No	46.15%	6
Yes - UCR	30.77%	4
Yes - other	15.38%	2
Not available – information is not available to answer the question (please	7.69%	1
Not applicable – question is not applicable to the economy (please indicat	0.00%	0

Possible Levels of Interoperability

- Technical standards are adhered to with higher level of maturity as all economies use XML.
- XML is also the common messaging standard for data exchange between countries.
- Harmonized elements (possibly between bilateral agreements) and EDIFACT is being used.
- Economies are being flexible by architecting Web Services and MQ due to robustness.

32. If your NSW system receives/submits electronic data from foreign systems, how does your system enable data exchange between two or more computer systems?
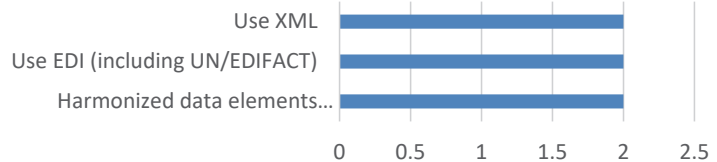
30. What interface and messaging standards do you have or are you planning to incorporate into the Single Window design?
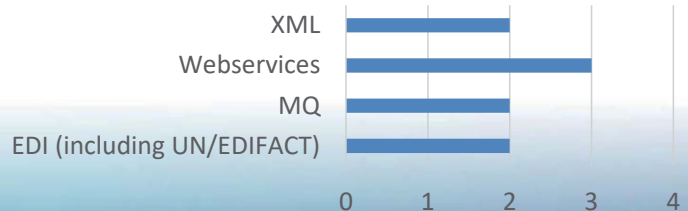
Possible Levels of Interoperability

Business process re-engineering
- 7 out of 13 economies) use UN/ CEFACT business modelling tools (UMM i.e. UML) and BRS
- Several international projects in collaboration with standards body such as ebXML and ebMOU are putting effort to ensure standardization for global interoperability.

25. Are your NSW system's business processes and specifications modelled using UN/CEFACT Modelling Methodology (UMM) and UN/CEFACT Business Requirement Specifications (BRSs)?

84
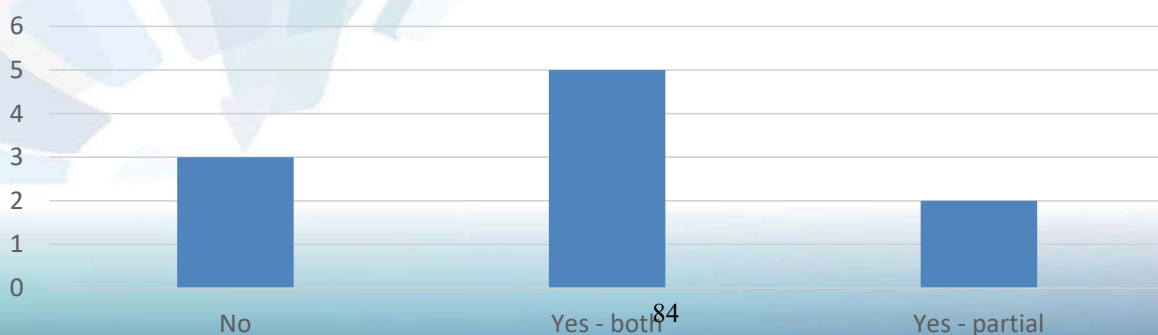
Possible Levels of Interoperability

The less variants of technical specifications to meet, the less costly to implement and maintain the various applications.

- Compliant –Satisfies <u>all set of requirements</u>. Usually standards are externally imposed by a governing body.
- Conformant – <u>Satisfies specified set of requirements</u>, and builds upon that extension that may not follow a reference standards.
- Consistent – <u>Partially satisfies specified set of requirements</u> and builds upon that extension.
- When surveying the characteristics of their SW system to be either compliant, conformant or consistent (Q. 33) we get the following results:

33. How would you characterize your economy's Single Window system?

Interoperability Legal Framework

- Content and legal aspects may vary from country to country (not covered here with much depth)
- International law on cooperation between economies on international data exchange is not well developed.
- Based on the survey, different economies are at different stages on privacy, security and confidentiality treatment of data generated and data exchanged.

51. Have you adopted a legal framework to support SWI?
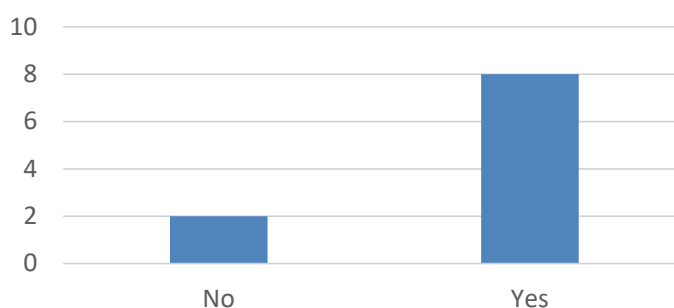
Interoperability Legal Framework

- Legal Principles for SWI (match to survey)
    1. Mutual interest and benefit of the parties (All)
    2. Accessibility and availability of data (All)
    3. Accuracy and completeness of information (All)
    4. Timely submission of required information (Uncertain)
    5. Information exchanged should be used for limited specified purposes (Uncertain)
    6. Exchange of information is based on international standards and recommendations (Uncertain)
    7. Exchange of information is conducted on a non-profit basis (Uncertain)
- Points 4 – 7 is a gray area that require further development of the legal framework.

Answer choices (Q.52)	No of responses
Identification, authentication and authorization procedures	7
Ownership of data	7
Privacy and protection for commercial information	7
Accuracy and integrity of data	7
Data retention, archive and audit trails	7
Right to obtain data from the Single Window	6
Liability issues	5
Jurisdiction	5
Dispute resolution	3
Competition law	1

Prioritized Principles for SWI

- "Principles" are guidelines based on successful implementation track record chosen to provide stronger linkage between individual decisions and the broader goals; and are applicable and independent of the specific decision.
- Best practices are then realized by employing good principles.

53. Please rank the following principles of Single Window Interoperability in terms their importance to your economy

Principle of SW Interoperability	Weight	Rank
Consensus	2.10	1
Agreement	2.90	2
Data harmonization and standardizati	3.40	3
Security, privacy and confidentiality	3.40	3
Connectivity	3.73	4
Responsiveness	4.80	5
Adoption of open standards	6.30	6
Terminology	6.70	7
Building on existing IT infrastructure	6.90	8
Autonomy	7.00	9

Prioritized Principles for SWI

Principles Prioritized	Theme
Top 3: Consensus Agreement Security, privacy and confidentiality/ Data harmonization and standardization	Creating a climate of Trust - Leap of faith in the system - Integrity and trust to minimize bureaucracy - Achieved through standardization, technology and effective policy
Mid 3: Connectivity Responsiveness Adoption of open standards	Advancing Ubiquity - Anytime, everywhere - Will drive decentralization, multiple access and real-time requirements (in turn demanding more trust)
Bottom 3: Terminology Building on existing IT infrastructure Autonomy	Others - Need for common understanding and language to define data and metadata - Ability to scale while protecting IT investment - Maintaining domestic / internal sovereignty while enabling transnational integration and information sharing.

Bottom-line

- Technical messaging is mature; Terminology is evolving; Minimum Answer Dataset generation need further development
- Establish SWI information architecture (harmonized data) first, followed by its associated business process and enabling technology components.
- Develop actions that foster trust and secure environment
  - Integration of security, privacy and risk management
  - Development of effective policies
- Enable solutions that build/ instill trust
  - Updated security and authentication
  - Block-chain technology
  - Robust legal framework to address cross-border regulatory interoperability of SW.
- Modernize IT infrastructure and application
  - Increase connectivity and demand-driven capacity

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Integration and Interoperability of Chinese Taipei Single Window

SCCP, Ho Chi Minh City
August 19, 2017
Chinese Taipei Customs

1

OUTLINE

1 Road to Trade Facilitation

2 Innovative & Streamlined Services

3 Contribution to Trade Facilitation

4 Conclusions

2

1. Road to Trade Facilitation

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Road to Trade Facilitation

1992

e-Customs

Submission of the declaration and cargo manifest electronically

2005

e-Trade

Online application for the import / export licenses

e-Port

Online application for port-related business

2013

CPT Single Window

Integration of e-Customs, e-Port, e-Trade as a single entry point

2014

CPT Single Window

International **Interoperability** with other SWs
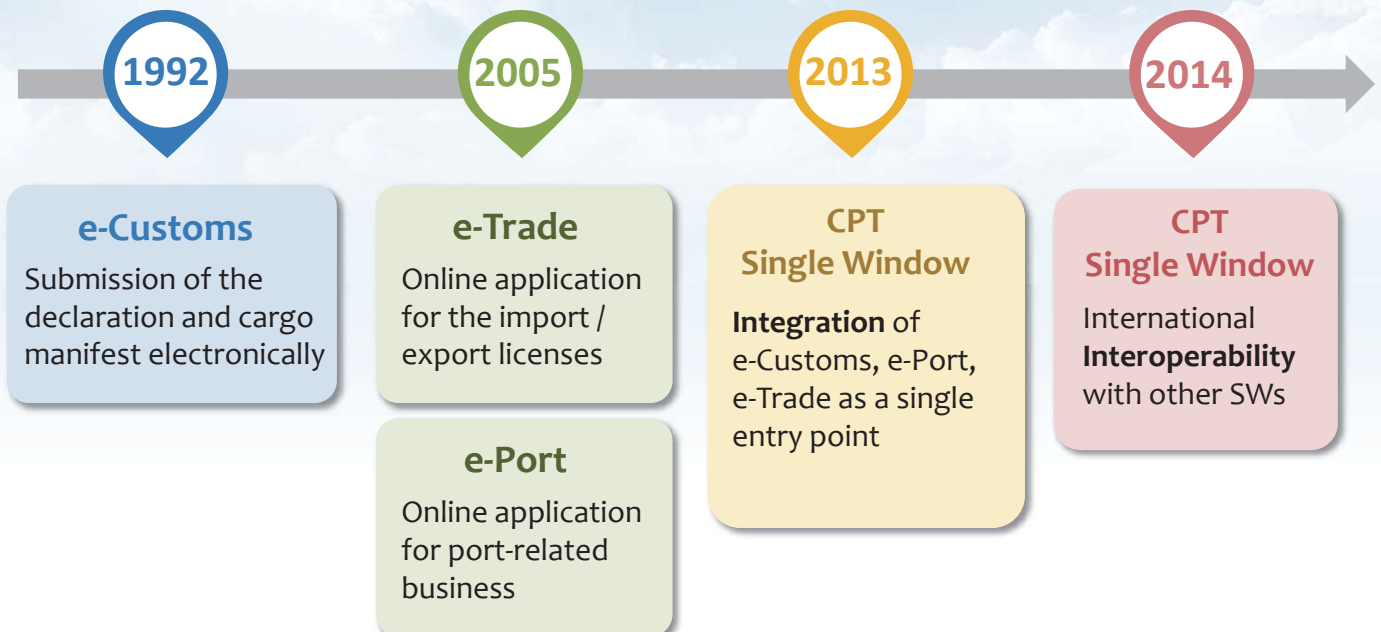
2. Innovative and Streamlined Services

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Service Framework

Customs Information Systems

Export system	Import system	Administrative system

Participating Agencies

- Trade Authorities
- Port Authorities
- Quarantine Authorities
- Food and Drug Agency
- Immigration Agency
- Other Government Agencies
- Financial Institution

Secured internet

CPT Single Window

- N2N Cross-border data exchange services
- G2G Data exchange services
- G2G Compliance-check services
- G2G Data verification services
- B2G XML/EDI application services
- Data warehouse enquiry services
- B2G Web-based application services
- Web-based enquiry services
- e-Payment services
- Portal/SSO

Government Service Network

Other economies

Customs Clearance VANs

Trade-Van	Universal EC Inc.

XML / EDI application

Internet

Web-based application

Trading Community

Importers	Exporters	Customs brokers	Freight forwarders	Carriers	Others

Business-to-Government (B2G) services

➢ **Trading community**

1. **Submission of e-documents** through CPT to Customs or participating agencies, and vice versa; to date, there are 59 e-documents including Customs goods declaration, cargo manifest, and application for quarantine, food sanitation, or other licenses.

2. **Electronic payment** for duties, taxes, or fees; US$ 12 billion is paid by using e-Payment service in 2016.

A single entry point for all

Trading community

Cargo Terminal

Forwarder Carrier

Importer Exporter

Broker

Participating agencies

Customs

OGAs

CPT Single Window

B2G Services list

1. Customs goods declaration, cargo manifest
2. Application for Quarantine, Food sanitation, Certificate of Origin, etc.
3. e-Payment for duties, taxes, and fees
4. Online information enquiry
5. Duty & tax refund
6. Portal / Single Sign On and more services

Government (G2G) services

➢ **Participating agencies**

1. **A rapid, secure platform for information sharing,** there are 28 agencies involved and over 300 types of information shared through CPT, such as Advance Passenger Information (API), Authorized Economic Operator (AEO).

2. **International interoperability,** as a portal for participating agencies to smoothly conduct cross-border data exchange with other SWs.

A rapid secure platform for information sharing

Immigration

Customs

Port authorities

Quarantine

Trade authorities

FDA

Financial institution

Two good practices

1. Real-time notification on abnormal events
2. Customs and FDA perform joint inspection to strengthen **CBM**
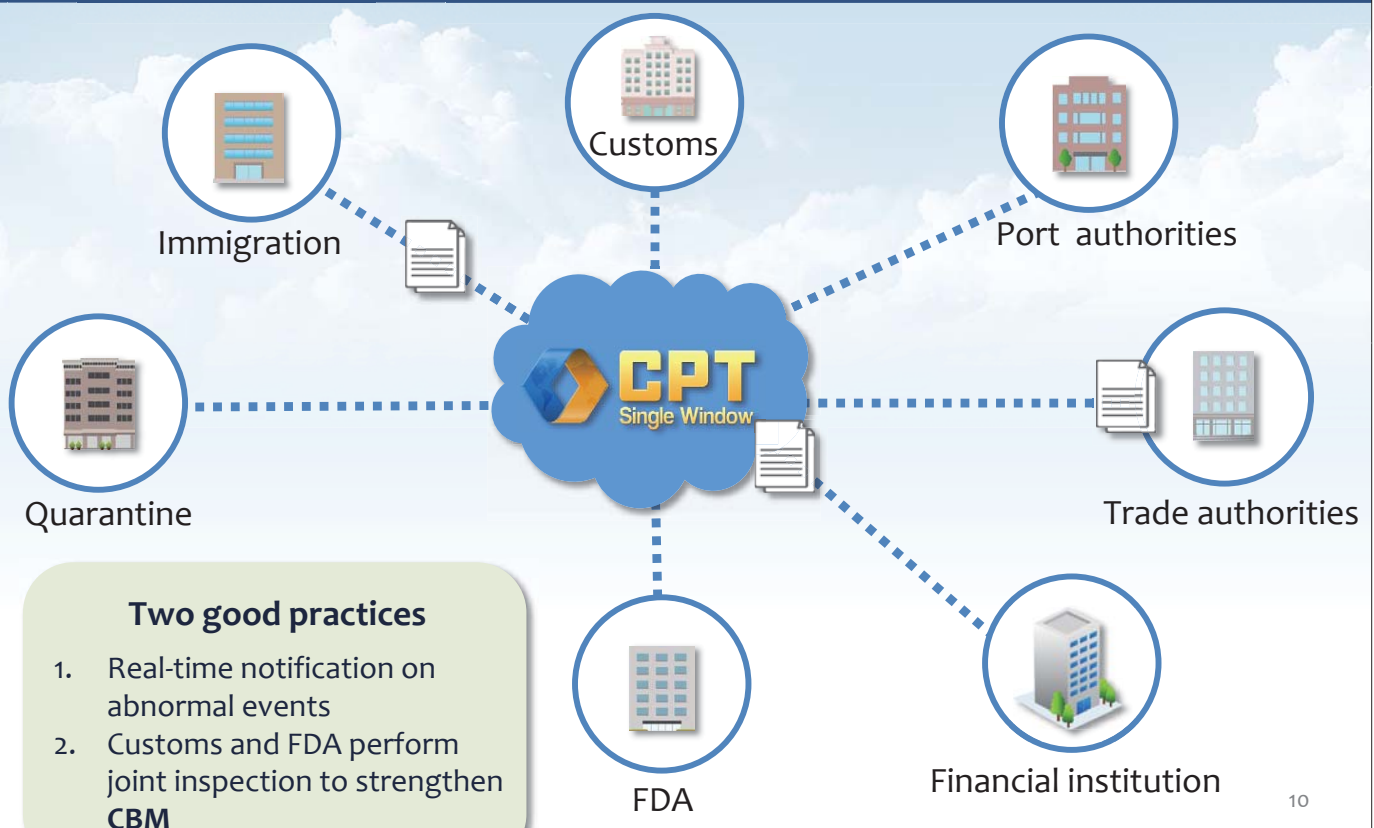
A portal for international interoperability

Regional Organization

100,000 documents flow through CPT to / from other SWs yearly

Trading community

Regional Single Window

XML

Trading community

Certificate

Single Window

OGAs   Customs

Other economies   Chinese Taipei

Participating Agencies

Customs

OGAs

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3. Contribution to Trade Facilitation

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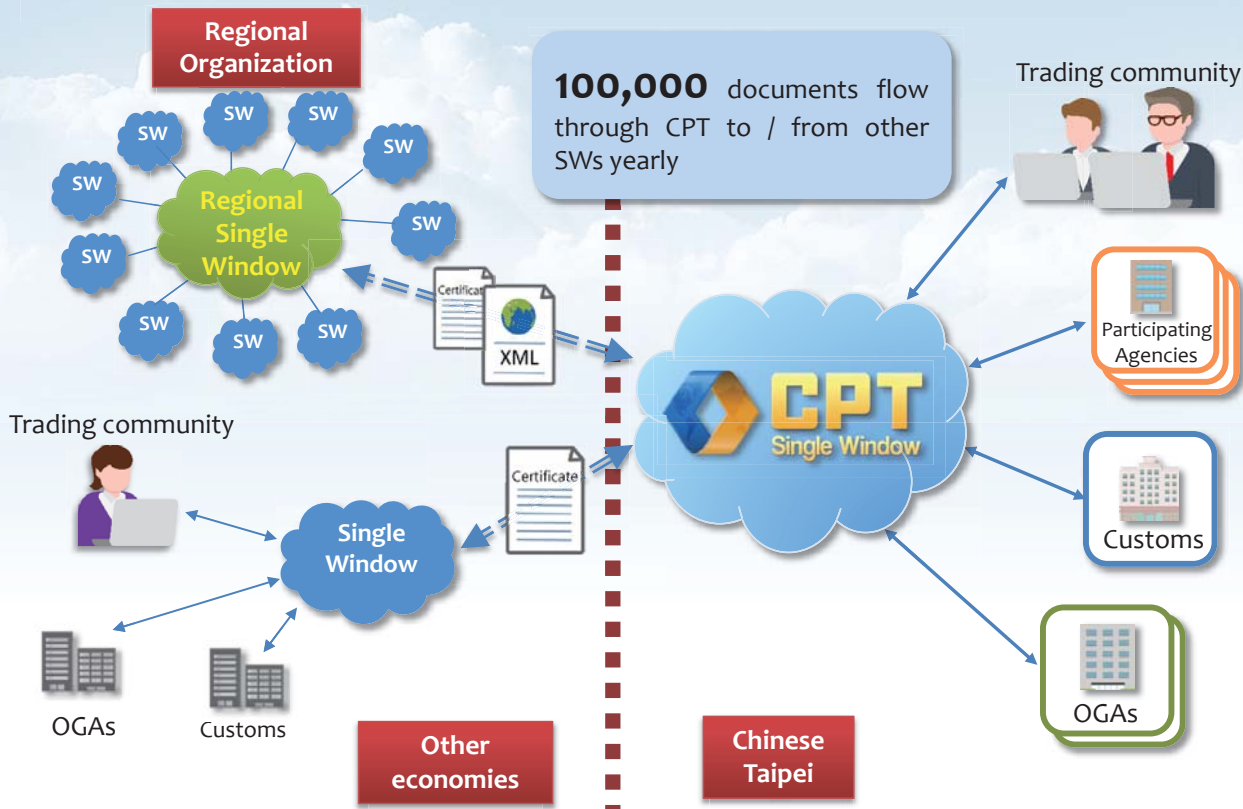
Statistics on CPT Single Window

Table 1. The number of declarations

Declaration	Paperless entry	Paper entry	Ratio of paperless entry
Import	28,276,419	2,320	99.99%
Export	13,553,993	522	99.99%

Table 2. Average time of Customs processing

Transport / Declaration	Sea	Air
Import	86.64 mins	5.16 mins
Export	4.86 mins	43.2 secs

Note: **Average time of Customs processing** is measured from trading community submitting declarations to Customs releasing goods.

Statistics on CPT Single Window cont.

Table 3-1. Percentage of export clearance mode

Clearance mode / Transport	Bypass	Document review	Physical examination
Sea	83%	15%	2%
Air	91%	6%	3%

Table 3-2. Percentage of import clearance mode

Clearance mode / Transport	Bypass	Document review	Physical examination
Sea	62%	33%	5%
Air	84%	11%	5%

4. Conclusions

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Conclusions

What lessons we have learned?

➤ **Strong political will** brings the followings to achieve our goals
  1. Enough resources
  2. Involvement of stakeholders
➤ **Integration** & **Interoperability** ensure information flows seamlessly among all stakeholders
  1. Data integration / harmonization by using international standards or guidelines
  2. A common set of data elements & a suite of data exchange protocols to make sure interoperability

Conclusions cont.

Next Steps for CPT Single Window

➢ Deepen Coordination with OGAs to enhance the border management .

➢ Promote International Interoperability to enhance regional connectivity and trade facilitation.

➢ Explore / Adopt latest ICT Technology to enhance the ability of Data Analysis .

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Thanks for your attention !

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**APEC Regional AEO Program Initiative
For 2017 SCCP II**

I. Background

APEC, established in 1989 to support "sustainable economic growth and prosperity in the Asia-Pacific region," has endeavored to promote regional economic integration and enhance connectivity of the regional supply chain for the past few decades, and, as part of these commitments, it has strived for further integration and connectivity among and between Authorized Economic Operator (AEO) programs.

After APEC Leaders reaffirmed the importance for the Member economies to recognize one another's AEO programs in alignment with the World Customs Organization (WCO) SAFE Framework of Standards at the Summit in Singapore in 2009, the APEC Sub-Committee on Customs Procedures (SCCP) established the AEO Working Group to assist regional economies in adopting an AEO scheme. The SCCP also made active and diverse efforts in this regard, including: the endorsement of the AEO Action Plan in 2010; the publication of the AEO Compendium, which outlines the details of AEO programs of regional economies that have such a scheme and the status of their Mutual Recognition Agreements/Arrangements (MRAs); and the introduction of the Study of APEC Best Practices in AEO Programs, which complements the AEO Compendium, in 2016.

However, the efforts towards enhanced integration and connectivity of AEO programs have had their limits, leading to limited achievements in this respect. A full conclusion of bilateral MRAs among and between 21 APEC economies requires a total of 210 bilateral arrangements, but so far, only 26 bilateral MRAs (12.3%) have been signed in the region. Also, the Study of Best Practices in AEO Programs indicates that the differing and complex MRAs are counterproductive and could become a trade barrier.[1] Furthermore, the significant costs and efforts for concluding bilateral MRAs among and between all APEC economies may become a stumbling block for full conclusion of AEO MRAs in the region.

Meanwhile, the APEC Business Advisory Council (ABAC), the official advisory group for APEC Leaders, has consistently noted for the past few years that private-sector players have a skeptical view on the benefits of the AEO programs. AEOs believe that there is no benefit commensurate with the costs and efforts involved in obtaining the certification, and the programs only provide Customs administrations with additional opportunities for inspection.[2] Also, incoherent operation of AEO programs among the Member economies, tighter security controls, and more stringent management lead to the complaints that the benefits for AEOs are insufficient compared to non-AEOs.[3]

II. Discussions at the 2017 SCCP I Meeting and during the Intersession

Korea assumed that a fundamental resolution of the issues above would entail a measure for enhancing integration and connectivity among AEO programs in the region, and, as one of such measures, proposed the introduction of an APEC multilateral AEO program at the SCCP I meeting in 2017. Following is the summary of Member economies' comments and opinions on the APEC Regional AEO Program (ARAP), collected through the SCCP I meeting and the circulation of the proposal during the intersession.

In general, Members sympathized with the concept or idea of a multilateral AEO program in the region,

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[1] Study of APEC Best Practices in AEO Programs, p. 5
[2] 2016 ABAC Report to APEC Economic Leaders, p. 26.
[3] Ibid., p. 28.

but questioned whether the circumstances are mature enough to implement such a scheme. In this regard, they noted the necessity to explore, *inter alia*, the feasibility of the program, its building blocks, feasible objectives, and Member economies' needs in advance through a study or consultation. Below are the Members' opinions on the issues that require a study or consultation in advance:

First, regarding the framework of the program, some Members pointed out the need to clarify whether the program is a multilateral MRA or an APEC AEO scheme. The former means mutual recognition of Members' existing AEO schemes at a multilateral level, which would culminate in the introduction of a multilateral MRA; the latter involves the introduction of an AEO scheme that applies consistently to all APEC economies by designing consistent AEO requirements, benefits, operational rules, *etc.* In this respect, Singapore specifically commented that the former framework should be primarily considered, and Japan expressed concerns that, if the initiative takes the form of the APEC AEO scheme, it may result in a lower-layered AEO scheme diverging from the Japanese AEO program, which is deemed undesirable. A study should thus be conducted to figure out which framework of the multilateral AEO program would be feasible and in alignment with the APEC objectives of economic connectivity and integration in the region.

Second, many Member economies questioned whether there are sufficient connectivity and homogeneity among APEC Members' AEO programs to make a multilateral AEO scheme viable and noted the need to compare Members' programs through a comprehensive study in advance. In particular, the aforementioned multilateral MRA framework builds upon Member economies' existing AEO programs for mutual recognition at a multilateral level, which necessitates a study to compare the existing programs and analyze whether the programs have sufficient connectivity and homogeneity among themselves to be compatible and mutually recognizable at a multilateral level.

Third, regarding the scope of the program, there was no notable disagreement on Korea's proposal to cover only exporters for certification under the APEC multilateral AEO program, given that existing AEO MRAs mostly deal with exporters. Still, the United States mentioned the practical difficulty in accepting a multilateral approach targeted at exporters, noting that they are not the primary focus of its Customs-Trade Partnership Against Terrorism (C-TPAT) program and its Customs administration does not have the authority to regulate them.

Fourth, in respect to certification requirements, many Members mentioned the importance of trade security and stressed that, in designing the multilateral AEO program, efforts should be made not to go against the intention or compromise the quality of the AEO programs by relaxing the standards and security requirements of the SAFE Framework. Meanwhile, Chinese Taipei noted that flexible application of security standards would be desirable to ensure more micro, small and medium-sized enterprises (MSMEs) can participate in the global supply chain seamlessly and share the benefits through the multilateral AEO scheme. There should thus be a more in-depth discussion on the ways to encourage more economic operators' participation in the AEO program while remaining faithful to the standards set out in the SAFE Framework.

Fifth, importing economies may consider the benefits granted to AEOs under the existing bilateral MRAs, such as reduction in inspection rates or adjustment of inspection priorities, for the multilateral AEO program as well, but it appears that economies should take time and discuss this issue since it is difficult to reach an agreement at a multilateral level on what benefits can be offered. Korea suggested that it is not desirable to establish a uniform set of criteria on benefits under the multilateral AEO program, with a view to ensuring harmony between Members' autonomy and the effectiveness of the benefits, and proposed that Member economies seek to reach an agreement on a relative and commonly applicable guideline, such as relative inspection rates for AEOs *vis-à-vis* non-AEOs, given that, in terms of reduced inspection rates, the average rates of inspection that Members deem

appropriate after deliberation on risk factors may vary. In this regard, Singapore pointed out that benefits under the multilateral AEO program require consultations from a more multi-faceted perspective over the medium-to-long run as each economy has different views on the criteria for risk management, not to mention the appropriate inspection rates.

Sixth, for the Customs administration of an importing economy to recognize the AEOs certified by the Customs of an exporting economy and grant the benefit of simplified Customs procedures, mutual trust would be a prerequisite among the administrations of exporting and importing economies. In this regard, Member economies suggested that measures would be necessary to ensure mutual trust, *i.e.*, how the Customs of an importing economy can trust the certification granted by the Customs of exporting economies. In particular, China expressed the opinion that a study would be necessary on concrete, practical measures of conducting pre- or post-joint validation audits under the AEO program that would be joined by 21 APEC economies by seeking advice from AEO experts.

Seventh, regarding the exchange of information, there were comments on the form of information exchange arrangements, types of information to be exchanged, and security issues. First, about the form of the arrangements, the U.S. and Japan pointed out that, for information exchange under a multilateral AEO program, a multilateral arrangement on information exchange must be concluded in advance in the form of a Customs Mutual Assistance Agreement (CMAA). In addition, Japan mentioned practical challenges in signing an APEC-wide CMAA, which would be a type of regional convention, by making a reference to the Johannesburg Convention, also a regional convention at a multilateral level, which is not being properly implemented.

In contrast, Korea suggested that the inclusion of provisions on information exchange in the MRA text based on the WCO MRA Guideline and many examples of MRAs can substitute for the conclusion of a CMAA. There were also comments that, in terms of the types of information and security issues, a review is necessary on the feasibility of data exchange at a multilateral level by analyzing international practices and each Member's legislations and regulations in advance before signing a CMAA. In particular, Peru and Singapore pointed out the need for a detailed discussion on how to determine the types of information to be exchanged and the means of information exchange given that each Member has different domestic legal requirements for exchanging information.

Eighth, identifying AEO-certified exporting companies is important for Customs authorities to grant benefits to them, but currently, there is no standardized method for identifying AEOs that APEC Members can use in common. Discussions are underway in this regard at the WCO on developing a standardized Trader Identification Number (TIN); some Members took this into account and indicated that it would be necessary to seek a standardized method for identifying traders in APEC. In particular, Singapore proposed to explore "tried-and-tested" concepts, such as the Economic Operators Registration and Identification Number (EORI) adopted by the European Union (EU).

Ninth, there were also comments on the relationship between existing AEO MRAs and the multilateral AEO program. Korea and Singapore expressed the opinion that developing and implementing the multilateral AEO program do not interfere with or limit the effects of existing AEO schemes and bilateral MRAs. Given the global trade order, where the effects of bilateral and regional free trade agreements (FTAs) co-exist in general, it is desirable that the effects of bilateral MRAs and the multilateral AEO/MRA program co-exist as well, which requires a study on appropriate measures to ensure such co-existence.

Tenth, about the future progress of this initiative, Korea proposed the establishment of a working group for discussion at the SCCP I meeting, but the U.S. and Australia opposed the idea of creating a working group for this initiative, based on the fact that current working groups in various APEC fora,

including the SCCP, is being managed in an excessively unsystematic manner and efforts are underway to streamline these groups. Also, during the intersession, Korea proposed to commission the APEC Policy Support Unit (PSU) for a study on the topics related to this initiative, but failed to secure the consensus of all Member economies on this idea.

Going forward, it will be necessary to continue to collect and reflect Members' opinions about the APEC Regional AEO Program through SCCP meetings and during the intersession, and, thereby, establish the building blocks consistently to increase the feasibility of this initiative and expand the consensus on the necessity of its implementation.

III. Key Topics for the Preliminary Study

In light of the Member economies' comments and deliberations above, Korea identified key topics of the preliminary study for the introduction of the multilateral AEO program in the APEC region as follows:

Framework Following are the two forms of framework for the APEC multilateral AEO program.

First is the multilateral MRA, which builds upon the existing AEO programs of Member economies for mutual recognitions at a multilateral level, and which involves establishing the standards of the AEO MRA that applies to all APEC Members for the signing of a multilateral MRA.

Second is the APEC AEO scheme, which involves the introduction of an AEO scheme that applies consistently to all Members.[4] The AEO program of the European Union (EU) is an example in this respect. Under the EU program, each Member State grants AEO certification under the uniform set of criteria, and an AEO status obtained in one State is equally recognized by all other EU Members. Hence, taking this example as a reference, it would be possible to envision an APEC multilateral AEO program, where, by establishing a consistent set of AEO requirements, benefits, operational rules, *etc.*, AEOs are certified at the APEC level and the requirements, benefits, operational rules, *etc.* are applied commonly throughout the region at export and import.

To discuss the examples of other regional communities where a multilateral AEO program is already in place or discussions are underway about it, the regional communities whose economic integration has progressed sufficiently to reach or go beyond the level of the Customs union, such as the EU and the East African Community (EAC), operate a program whose form is closer to the APEC AEO scheme; many other communities which are not Customs unions, such as the Greater Tumen Initiative (GTI) or the Pacific Alliance, are trying to establish a multilateral MRA framework.

In this regard, some Member economies noted that, although the APEC AEO scheme is ideal and efficient as it applies consistently to all Members, if there is no arrangement in place such as a Customs union, practical difficulties should be expected in introducing and running an AEO framework commonly applicable to all Members. On the other hand, the multilateral MRA, given its notion of expanding existing bilateral AEO MRAs, is more familiar to Members and has a relatively higher feasibility. Singapore explicitly commented that this framework should be primarily considered, and Japan expressed concerns that the introduction of the APEC AEO scheme may lead to a lower-layered AEO scheme that are different from its own program.

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[4] The APEC Business Travel Card (ABTC) scheme makes a distinction between common criteria for all APEC Members and individual criteria that each Member may set forth at their discretion. The common criteria govern only basic issues, such as "ABTC applicants must have no criminal records"; detailed criteria for reviewing applications are determined and implemented by each Member economy.

Connectivity and Homogeneity Along with establishing the framework, it is also important to consider ways to ensure connectivity or homogeneity among Member economies' AEO programs in the preliminary study. Following are the measures to ensure connectivity and/or homogeneity among the Members' programs for each of the aforementioned frameworks.

The multilateral MRA entails the conclusion of an AEO MRA at a multilateral level based on the existing AEO programs of individual Members; this necessitates a comparative analysis of various AEO programs currently in place. Indeed, many economies that have signed bilateral MRAs review the connectivity and homogeneity of their AEO programs by going through a set of processes, such as mutual comparison of certification criteria, joint validation visits, and consultations on operational procedures of mutual recognition, and sign the MRAs if their programs are deemed mutually compatible and feasible for mutual recognition.

On the other hand, the APEC AEO framework involves consistent application of the AEO scheme in APEC Member economies, where a consistent set of AEO requirements, benefits, operational rules, *etc.*, will be developed; this process will naturally lead to connectivity and homogeneity among Members' AEO programs.

In this regard, through its experience of signing bilateral MRAs with 11 APEC economies so far,[5] Korea learned that connectivity and homogeneity among Members' AEO programs have already been secured to a substantial degree. Korea's *Step-by-Step Manual for AEO MRAs*, a document informed by the SAFE Framework of Standards, states that Korea goes through four stages for signing an MRA: 1) side-by-side comparison of certification criteria; 2) joint validation visits; 3) consultations on operational processes; and 4) signing of the agreement. In particular, stage 1) involves in-depth comparison of various aspects of the two economies' detailed criteria, such as the texts on the AEO schemes, on a one-on-one basis. This means that Korea has already confirmed connectivity and homogeneity to a significant degree through rigorous comparative analysis of the AEO programs of 11 APEC economies that have signed bilateral MRAs with Korea. In other words, connectivity and homogeneity have been confirmed for the AEO programs of 12 APEC economies at least (Korea and the 11 economies that have signed an MRA with it) through MRAs. It appears that connectivity and homogeneity exist among AEO programs to a great extent, despite minute differences, since most economies are basing their program on the SAFE Framework in terms of their design and operation.

Scope At the SCCP I meeting in February 2017, Korea proposed that the APEC multilateral AEO program cover exporters for certification; there was no significant disagreement among Members in this regard since existing AEO MRAs in the region mostly certify exporters as well. However, there could be cases, such as in the U.S., where economies' AEO schemes are not primarily targeted at exporters or Customs administrations have no regulatory authority or oversight on exporters.

A study is thus necessary to determine whether the multilateral approach that grants certification to exporters can be applied consistently to APEC Member economies by examining: whether there is a collision between the scope of individual Members' AEO programs and the multilateral AEO initiative for exporters; and whether individual economies' Customs administrations have the regulatory authority and oversight on exporters.

Requirements Although there would be no fundamental difference in the details and structure of

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[5] Korea signed MRAs with Canada, Singapore, the U.S., Japan, New Zealand, China, Hong Kong, Mexico, Chinese Taipei, and Australia so far (by order of signing the agreement) and is also on course to signing MRAs with Vietnam, Peru, and Malaysia. In other words, Korea has signed or will sign MRAs with most of the APEC Members that have an AEO scheme in place (16 economies).

certification requirements, their meaning may vary depending on which framework informs the ARAP. First, if the ARAP is envisioned in the form of mutual recognition at a multilateral level, the certification requirements would be a standard for APEC Members, and Members without an AEO program can also adopt them as a standard when they adopt an AEO scheme in the future. As for the AEO program that applies consistently to all Members, the certification requirements would have to be set and applied consistently by all Members.

Korea has learned through its practical experience of signing AEO MRAs that, in terms of the details and structure of certification requirements, there was no significant gap in the requirements since most of the Members observe the SAFE Framework and the SAFE Package faithfully. Having regard to this point, the ARAP would be more likely to be compatible with existing AEO programs and, thereby, be accepted by Members without much difficulty if the requirements are designed under the above-mentioned global standards.

It is to be noted that some of the comments called for flexible application of certification requirements to encourage more economic operators to participate in the AEO program voluntarily; a study would also be necessary on the measures to this end. The following arrangements can be considered in this regard:

First is to define a single set of certification requirements in accordance with stringent security standards and insert provisos to allow relaxed application of these requirements depending on the types of economic operators seeking certification. In a similar example, under Korea's AEO scheme, all economic operators are subject to the same certification requirements, but Korea created provisos for MSMEs to allow for flexibility in managing the requirements.

Second is to define a single set of certification requirements, just as in the first option above, and, instead of creating provisos, apply the rules flexibly in evaluating whether economic operators satisfy the requirements. The EU AEO scheme provides an example in this regard; it defines a uniform set of requirements, but allows for flexible application in reviewing economic operators' compliance with AEO authorization and certification requirements depending on their size, type of business, type of goods handled, and position in the global supply chain.[6]

Third is to define separate sets of certification requirements for different economic operators rather than defining a uniform set of requirements. This involves defining and applying different requirements depending on the characteristics of economic operators in order to attract more enterprises to the multilateral AEO program; for MSMEs in particular, it would be possible to apply a set of requirements that has been relaxed to an appropriate level that does not go against the intention of the AEO program.

Benefits The benefits of simplified Customs procedures should be created and granted to AEOs that can differentiate them from non-AEOs and can be enjoyed in the APEC region as a whole beyond individual economies.

In this regard, taking into account each Member's unique environment and policy, a study is necessary on how to ensure harmony between the autonomy of its Customs administration and the effectiveness of the benefits in APEC. Reduced inspection rates would be an instance: Members have different views on the criteria for risk management as well as appropriate rates of inspection; this should be taken into consideration to create feasible and practical benefits from a multilateral

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[6] European Commission Directorate-General for Taxation and Customs Union, Authorised Economic Operators Guidelines (2016), p. 71.

perspective.

Mutual Trust Mutual trust is a prerequisite among Customs administrations of exporting and importing economies in order for the Customs of importing economies to recognize AEOs certified by the Customs of exporting economies and grant them the benefits of simplified procedures. To this end, some of the measures to be considered may include joint validation visits and exchange of operational information.

For joint validation visits, a joint pre-visit and a joint post-visit can be considered: the former takes place for the Customs of exporting and importing economies to jointly recognize the ARAP adopted by the exporting economies; the latter occurs after the APEC Regional AEO Program is introduced. The joint pre-visit is one of the exemplary measures in signing bilateral MRAs with a view to ensuring mutual trust; one possible arrangement under this measure is to designate and visit two or three AEOs upon signing an MRA and, with the presence of the representatives from counterpart Customs administrations, validate whether audits were conducted in an appropriate manner for authorization. The joint post-visit enables importing economies to request a joint visit to exporting economies in case they have a reasonable doubt; this would allow economies to monitor how other economies are implementing the program and to ensure mutual trust on an *ex post* basis.

For the exchange of operational information,[7] the WCO MRA Guidelines mandates the establishment of procedures for information exchange, including IT systems; this reduces information asymmetry among and between Member economies, which, in turn, translates into mutual trust. Under the ARAP as well, Members need to establish platforms and systems for information exchange and share operational information through them.

Other arrangements for mutual cooperation can include various capacity building activities such as joint workshops.[8] These arrangements not only ensure mutual trust among Member economies, but also come with a bonus effect of upgrading the capabilities of Customs officers in charge of AEO programs at Member administrations. Along with this, feasible and practical measures should be identified to ensure mutual trust by studying the best practices of other international organizations and collecting opinions of Member economies.

Information Exchange Exchange and protection of information on AEOs among Members are essential elements that must be in place before introducing bilateral or multilateral AEO programs.

About the form of information exchange arrangements, the MRA Guidelines, one of the tools in the WCO SAFE Package, note that either a Customs Mutual Assistance Agreement/Arrangement must be signed or details should be included in the MRA text to set forth what types of information will be exchanged and how it will be used. Also, information exchange arrangements, their form notwithstanding, would have to contain the capacity of information exchange regarding the implementation of legislations on enhancing trust in and security of the supply chain and limitations thereof. Information exchange and protection are also necessary in the multilateral AEO program joined by 21 APEC economies. To implement them, it is necessary to first analyze international practices and Members' regulations, and then study which of the above formats would be more

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[7] EU Member States exchange information on economic operators' application for an AEO status and certification, suspension, and revocation of the status through the Economic Operator System (EOS). Under the ABTC scheme, Member economies enter ABTC card applicants' essential data on the ABTC data exchange network for sharing and reviewing purposes.
[8] The EU continues its dialogue with partner nations and exchanges information on recent developments once MRAs are concluded. Its best practices in this regard include joint outreach at conferences and seminars, and the development of joint Frequently Asked Questions (FAQs).

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suitable – signing a multilateral CMAA or inserting details in the text of the ARAP – to dictate the measures on them.

In addition, regarding the actual subjects and details of information exchange, it would be necessary to continue consultations on and give further shape to the general matters necessary for practical implementation, including the means of data exchange, security procedures, platforms/systems for information exchange, and the scope of exchange. Also, under the current bilateral MRAs, methods of data exchange are broadly covered in the operational process in the run-up to the signing of MRAs, and their details are discussed through explanatory notes and working-level meetings after the MRAs are concluded; in a similar vein, details can be covered in explanatory notes and working-level meetings under the multilateral AEO program as well.

Identification of Certified AEOs It is very important to identify AEO-certified companies to grant them benefits. Devising a standardized system for such identification will translate into a less administrative burden of identifying AEOs and providing benefits to them on Customs administrations, which, in the long run, facilitates the implementation of the multilateral AEO program.

However, at the current stage, there is no identification method that APEC economies can use in common; discussions are underway at the WCO on the development of the Trader Identification Number (TIN). Members would thus need to share the system they are using to identifying AEOs through consultation and, building upon this, discuss measures to establish a system for such identification under the ARAP.

Relationship with Existing AEO Programs The introduction of the APEC AEO program should not interfere with or limit the achievements under existing AEO programs or bilateral AEO MRAs. It should be recognized that the ARAP seeks co-existence with existing MRAs among and between Members and promotes mutual cooperation in trade facilitation and economic integration in the region. In this process, there should be discussions on how to accommodate the current bilateral MRAs, taking into account various issues such as granting benefits and setting requirements under the MRAs that have been signed so far. Measures should also be considered on how individual economies would be able to operate the ARAP, just as current AEO programs for exporters have been operated.

IV. Future Developments

Korea, as the Pathfinder of the APEC Regional AEO Program, will continue to lead the discussions on the initiative going forward. Korea seeks to play the role of a coordinator in finding the path towards turning the multilateral AEO program into reality step by step while constantly updating relevant issues by collecting Members' opinions at SCCP meetings and during intersessions, conducting surveys, and carrying out additional studies.

Also, going forward, it would be possible to organize seminars and workshops to expand the consensus on these discussions among Member economies within the SCCP; if the consensus is formed to a significant degree on the topics and methods of the study among Members, the research project can either be commissioned to the PSU or be conducted in the form of an APEC-funded project.

APEC Regional AEO Program Initiative For 2017 SCCP II

APEC
Asia-Pacific
Economic Cooperation

관세청
KOREA CUSTOMS SERVICE
1878

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I. **Discussions at the `17 SCCP I and during the Intersession**

II. **Key Topics for the Preliminary Study**

III. **Future Developments**

I. Discussions at the 2017 SCCP I Meeting and during the Intersession

I. Discussions at the 2017 SCCP I Meeting and during the Intersession

Member's comments on a multilateral AEO program

General Views

- All in all, members **sympathized with a multilateral AEO program**
- But noted the **need for preliminary study & consultations** to **establish the building blocks** for the program and to **achieve the consensus**

1. Framework

- Should clarify if the initiative is **multilateral MRA** or **APEC AEO scheme**
  - **Multilateral MRA** builds upon existing AEO programs for mutual recognition at a multilateral level
  - **APEC AEO scheme** is an AEO Program that applies consistently to all APEC Members

2. Connectivity & Homogeneity

- Need to compare Members' AEO programs in advance to examine if there is **sufficient connectivity & homogeneity among them** to turn **a multilateral AEO program into a reality**

3. Scope

- **No notable disagreement** on Korea's **proposal to cover only exporters for certification**
- **Practical difficulties** : Exporters are not the main focus of the AEO program & Customs has no regulatory authority on them *(U.S.)*

4. Requirements

- Noted importance of **trade security** & cautioned **not to relieve security requirements**
- Noted need for **flexible application** of security standards to **ensure inclusiveness** *(Chinese Taipei)*

5. Benefits

- a **uniform set of criteria is not desirable** because it **could harm** Member administrations' **autonomy** on risk management *(Korea)*

6. Mutual Trust

- **Mutual trust** is a **critical factor** among exporting and importing economies to make sure importing economies can trust AEO certification issued by exporting economies
- Need to study concrete & practical measures for **pre-/post-joint audits** under the multilateral AEO program *(China)*

7. Information Exchange

- Mentioned the **form of info exchange arrangements, types of info** and **security issues**
- Members should first enter into **a multilateral agreement** in the form of the **Customs Mutual Assistance Agreement**, or **the CMAA**, for the purpose of information exchange *(U.S.&Japan)*
- Inserting provisions on info exchange **in the MRA text can substitute** a **CMAA** *(Korea)*
- Needs detailed consultations on **types of info** and **methods of exchange** *(Peru & Singapore)*

8. Identification of AEOs

- Needs to seek **standardized method to identify traders**

9. Relationship with existing programs

- The multilateral AEO program does **not interfere with or limit** the **achievements of existing AEO programs and bilateral MRAs** *(Singapore & Korea)*

10. Future Developments

- Proposed a **working group and a PSU study** to further explore the topic *(Korea)*

- **Objected** the idea of **the working group and PSU study** *(U.S. & Australia)*

- Need **further consultations to reach a consensus** on next steps

KOREA CUSTOMS SERVICE 06

II. Key Topics for Preliminary Study

Key Point What is the framework of the multilateral AEO program that is in alignment with APEC objectives & practically feasible?

Multilateral MRA based on Members' AEO programs

STANDARD

Establish multilateral AEO MRA standards

Introduce a Multilateral MRA

ex. GTI, Pacific Alliance
(Not Customs unions)

APEC AEO scheme applying consistently to all Members

Design a consistent set of AEO requirements, benefits, operational rules, *etc.*

APEC

Certified by one Member
≫
Recognized as an APEC AEO by all Members

ex. EU, East African Community
(Customs unions)
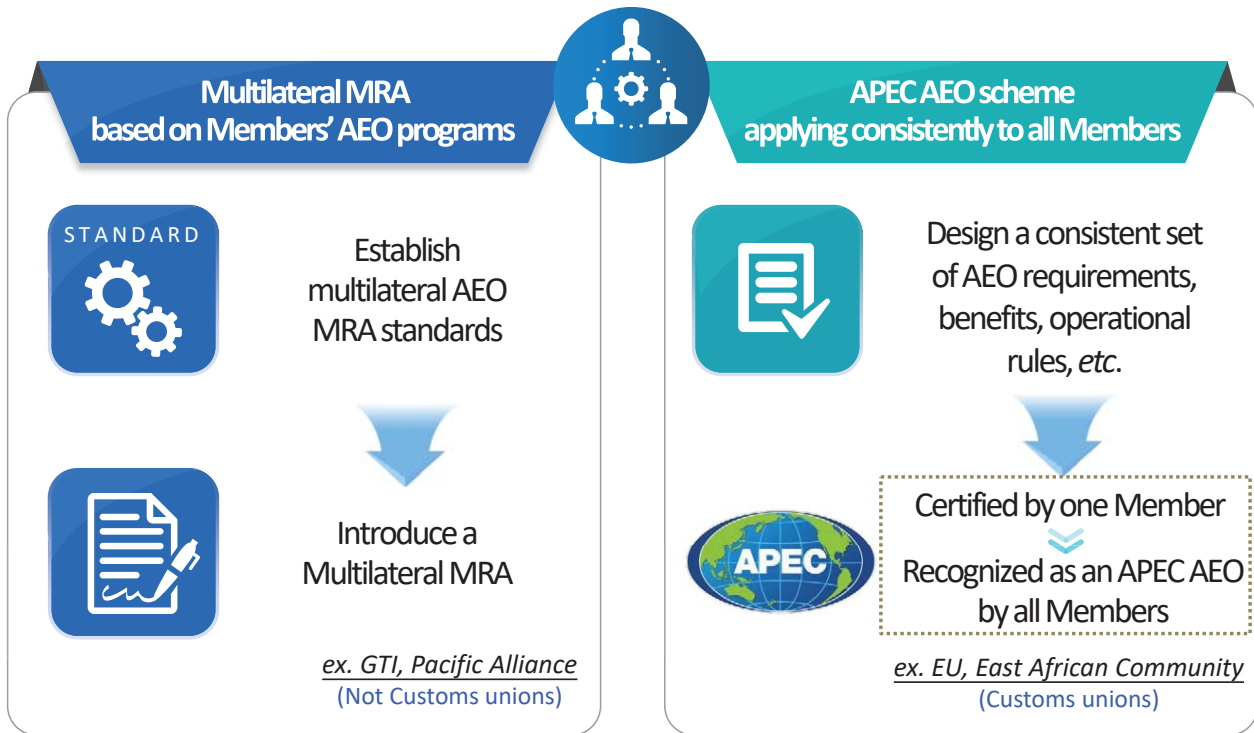
Key Point Do we have enough connectivity and homogeneity among Members' AEO Programs to pursue a multilateral AEO program? (to be determined through comparative analysis of Members' programs)

Multilateral MRA

Comparative analysis of various

existing AEO programs

to identify connectivity and

homogeneity of the programs

APEC AEO scheme

Can be ensured naturally in the

process of designing consistently

applicable scheme
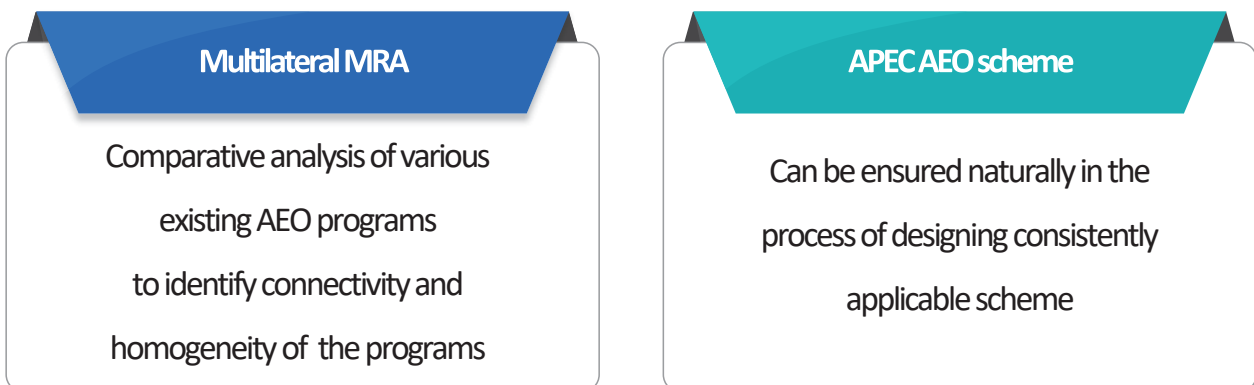
※ Korea's practice: Korea compares its counterpart's certification criteria with its own at the initial stage (4 stages in total) of the bilateral MRA signing process; confirmed connectivity & homogeneity to a large extent through **MRAs with 11 APEC economies**

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II. Key Topics for Preliminary Study : Scope

Key Point Is the multilateral program targeted at exporters commonly applicable to all Members?
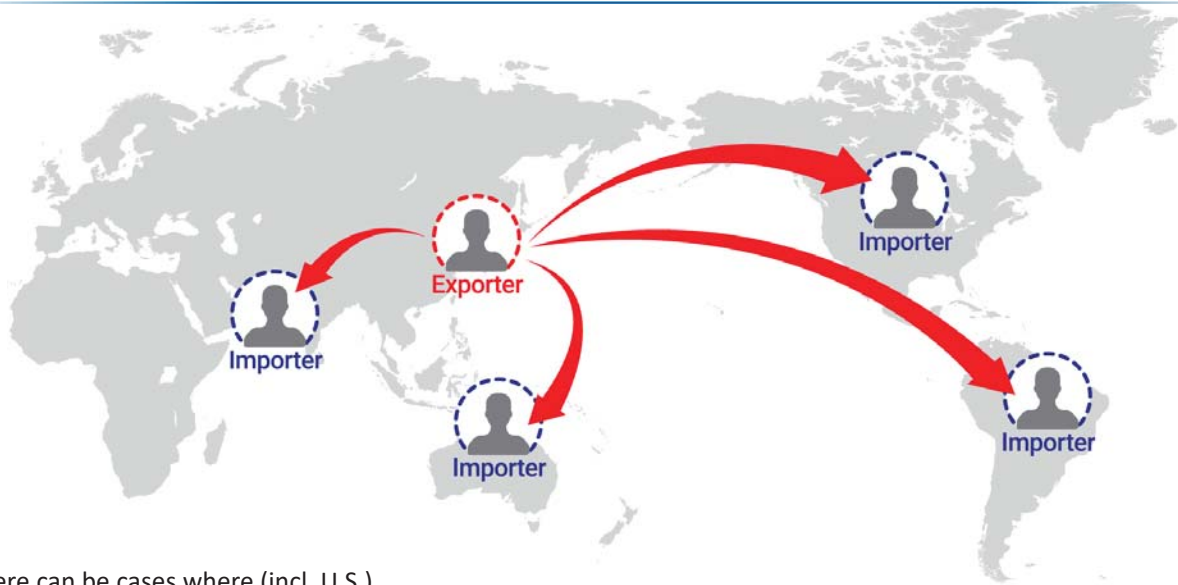
* There can be cases where (incl. U.S.)
① Exporters are not the primary focus of the economies' AEO programs; and/or
② Customs have no regulatory authority/oversight on exporters

》 Need to examine **if the multilateral program is compatible with Members' existing programs** and Member **administrations have regulatory authority and oversight on exporters**

II. Key Topics for Preliminary Study : Requirements

Key Point What certification requirements can be envisioned that observe the standards in the SAFE Framework while encouraging more economic operators to join the program voluntarily?

Multilateral MRA building upon Members' AEO programs	APEC AEO scheme applying consistently to all Members
• Members can adopt the requirements as regional standard • It is possible to consider this as a regional best practice	• Requirements will have to be set and applied consistently by all Members

Possible arrangements for flexible application of requirements

1. Inserting Provisos in the requirements *(ex. Korea)*

2. Flexible application *(ex. EU AEO)*

3. Separate set of requirements for different types of economic operators

Key Point We can envisage multilateral benefits similar to the ones granted under existing bilateral MRAs, but it would be difficult to reach an agreement at a multilateral level on what benefits can be offered.

Unified effectiveness of the benefits in APEC

Autonomy of Member administrations
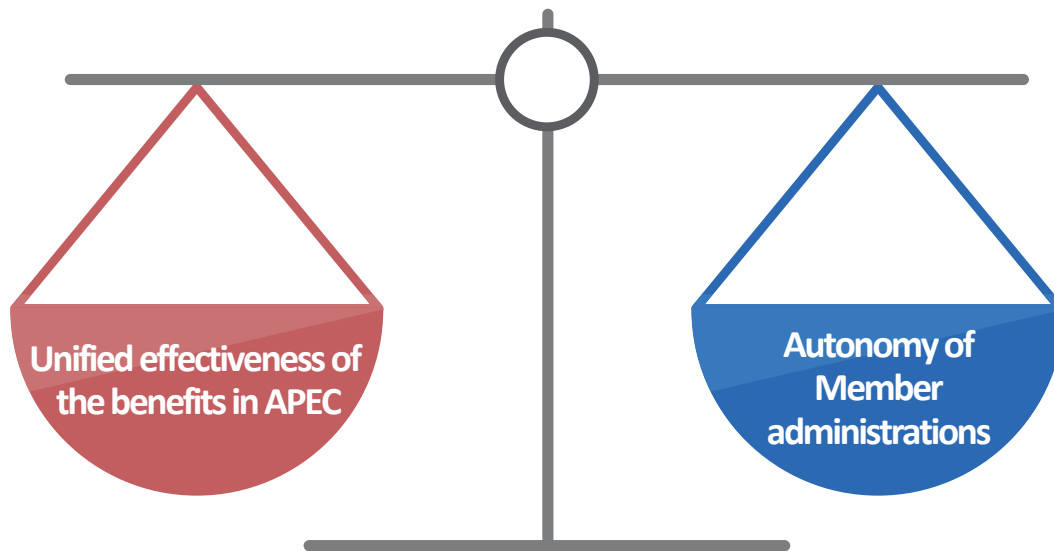
* Members have different views on the appropriate rates of inspection & risk management Standards ; this should be taken into consideration to envision feasible and practical benefits from a multilateral perspective

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Key Point Mutual trust among Customs of exporting/importing economies is a prerequisite when importing economies' Customs seek to recognize AEOs certified by exporting economies' Customs and grant them benefits

Joint validation visits	Pre-visit	• **Typical trust-building measure** in signing **bilateral MRAs** *ex) A Member administration can designate and visit 2~3 AEOs upon signing an MRA to validate, in the presence of Customs officers from the counterpart administration, whether audits were conducted appropriately for authorization*
	Post-visit	• Importing economies may **request joint visits in case of reasonable suspicion** to monitor how other economies are implementing the program

* In this regard, other arrangements can include: **joint workshops, capacity building activities**, a **study on other int'l organizations' best practices**, & collection of **Members' opinions**

Key Point   What are the form, subject, and details of information exchange arrangements

Form of arrangement

» **Sign a CMAA** or **insert provisions into the MRA text** *(WCO MRA Guideline)*

» The agreement **should contain** provisions on the capacity to exchange info on implementing legislations for enhancing trust & security of the supply chain + limitations thereof

Information exchange & protection

Subject and details

» Discuss & give further shape to **general matters for implementation**
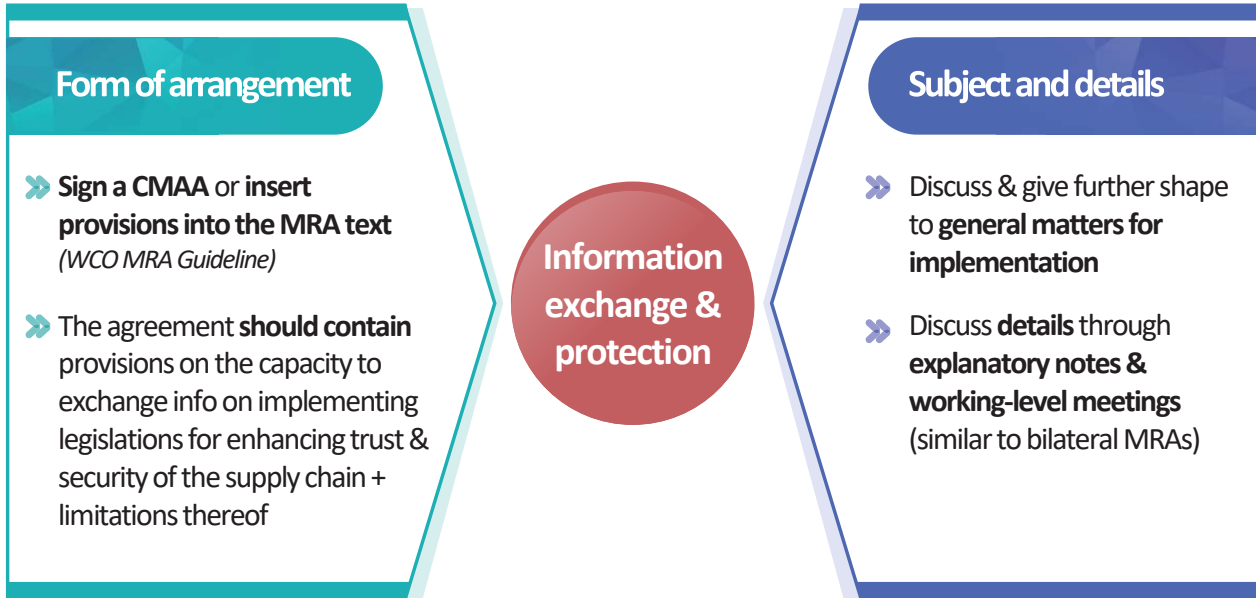
» Discuss **details** through **explanatory notes & working-level meetings** (similar to bilateral MRAs)

Key Point   What can be envisioned to develop and utilize a standardized method to identify AEOs under the APEC Regional AEO Program?
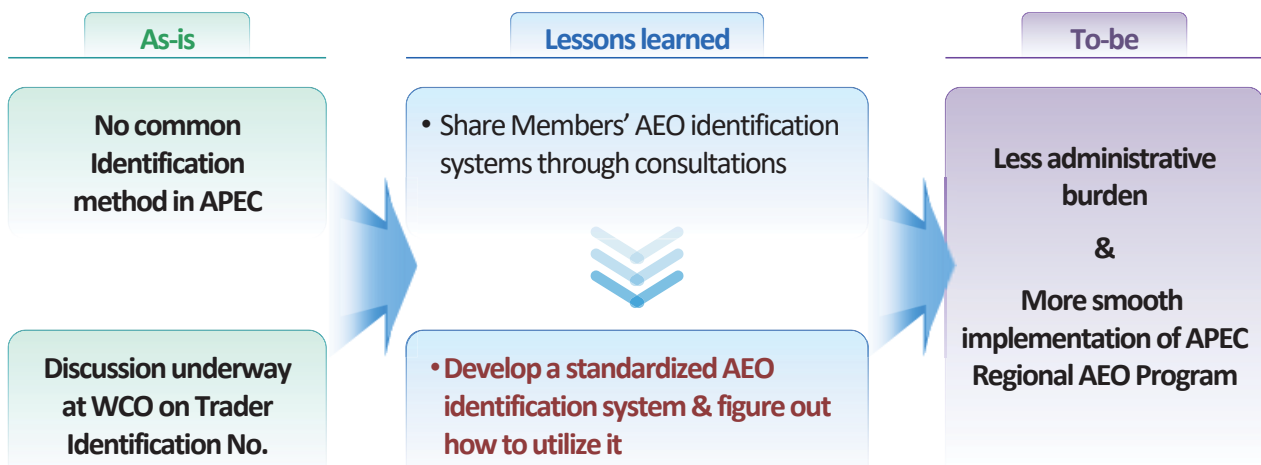
As-is	Lessons learned	To-be
No common Identification method in APEC	• Share Members' AEO identification systems through consultations	**Less administrative burden** & **More smooth implementation of APEC Regional AEO Program**
Discussion underway at WCO on Trader Identification No.	• **Develop a standardized AEO identification system & figure out how to utilize it**	

<APEC Regional AEO Program>

The APEC Regional AEO Program

» should **not interfere with or limit the achievements** under existing AEO programs or bilateral AEO MRAs

» seeks **co-existence** with existing bilateral MRAs

» Should **form a mutual cooperative relationship with existing AEOs and bilateral MRAs** to promote trade facilitation and economic integration in the region

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III. Future Developments

Implementation of APEC Regional AEO Program
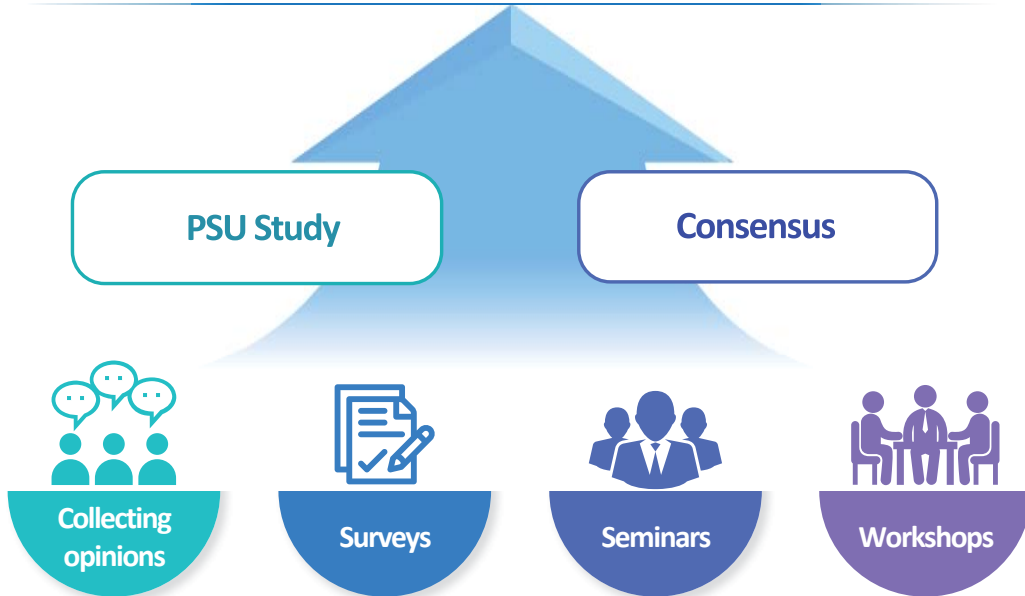
PSU Study

Consensus

Collecting opinions

Surveys

Seminars

Workshops

Thank you

RISK MANAGEMENT OF VIETNAM CUSTOMS

CONTENTS

I. Overview of Risk management of Vietnam Customs

II. Collaborative proposal on risk management

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I. Overview:

1. Deployment process of risk management :

START IMPLEMENTING FROM 01/01/2006

Applying Risk Management in manual Customs procedures for import/export cargoes

EXIST PARALLEL FROM 25/9/2007

02 Risk Management systems was applied in parallel in both manual and electronic Customs procedures. Applying uniformly from 03/4/2009

IMPLEMENTING OFFICIALLY E-CUSTOMS PROCEDURES FROM 01/01/2013

Risk Management was deeply and widely implemented in e-Customs and supported other Customs operations

IMPLEMENTING VNACCS/VCIS SYSTEM FROM 01/4/2014

Applying Risk management in the new e-Customs system (via VNACCS/VCIS system)

COMPLETING LEGAL BASIS, PROCESS AND ORGANIZATIONAL STRUCTURE

From 2015 up to now, along with the improvement of legal basis, business process and organizational structure, risk management has been applied in the before, during and after clearance and in other Customs operations; proving the important and stable position of Risk Management in Customs

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2. Legal basis

Article 17, Customs Law 2014 (became effective as from 01/01/2015)

Article 13, 14, 15 Decree No.08/2015/NĐ-CP dated on 21/01/2015 on specific regulations and measures of implementation of law on customs procedure, inspection, supervision and control

Section1, Chapter II, Circular 38/2015/TT-BTC dated on 25/3/2015 on customs procedure, inspection, supervision, import/export duty and tax management for import/export goods

Decision 464/QĐ – BTC dated on 29/6/2015 issuing the regulations of Risk management in customs operations

Decision 282/QĐ-TCHQ dated on 10/11/2015 regulating the guidance on the implementation and application of risk management in customs operations

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3. Organizational Structure

GENERAL DEPARTMENT OF CUSTOMS

- Customs Control and Supervision Dept.
- Export-import Duty Dept.
- Department, Board, Centre…

RISK MANAGEMENT DEPARTMENT

- Anti-smuggling and Investigation Dept.
- Post Clearance Audit Dept.
- Inspectorate Dept.

CUSTOMS DEPARTMENT (35 Depts)

- Customs Department
- Customs Department
- Customs Department

CUSTOMS BRANCH (Near 200 Customs Branches)

- Customs Branch (×9)

Notes:
- ←→ information exchanged, provided two-way
- ✦ - Specialized units of risk management

3. Organizational Structure(cont.)

Organizational Structure of Risk Management Dept.:

06 Division
72 officers

- Director
  - Deputy Director
    - General Affairs Division(15)
    - Compliance Management Division (10)
  - Deputy Director
    - Information Collect and Analysis Division (10)
    - Passengers and means of transport Control Division (7)
  - Deputy Director
    - Criteria Management Division (13)
    - Import/Export Cargoes Control Division (13)

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4. Risk Management Process

Step 1: Evaluate the situation, identify targets and require to manage risk

Step 2: Evaluate and classify risks

Step 3: Synthesize risk management information to decide the application of risk management measures

Step 4: Implement risk control measures

Step 5: Monitor, inspect and evaluate the application of risk management

5. Risk Management Techniques

Risk management policies

Risk Management Strategy

Collecting and analysing information

Criteria Management

Risk Profile

List of risk goods

Analysis and assessment of risks

Compliance assessment

Trader Ranking

Targeted Trader

Post seizure Analysis (PSA)

Thematic of control of risks

Compliance Measurement

Monitor and re-evaluation

The system gives decisions

Risk management policies

6. Information Systems for Risk Management:

Vietnam Customs Intelligence System (VCIS)	Risk Management System (Riskman)	Module Risk Management of E-Manifest System

Violation information system (QLVP14)	Advance Passengers Information System (API)

7. Some outstanding results:

Collecting Information and Analysis

- Issuing annual information collect and analysis plan to orientate information collecting in the entire Customs profession.

- Exchanging information with internal and other agencies.

- Collecting information through hotline and customs portal.

Successful implementation of risk management under the new VNACCS / VCIS system, ensuring the channeling ratio meets the requirement of balance between trader facilitation and customs control

Traders Compliance Management:

- Trader Profiles;

- Compliance assessment;

- Volunteer Trader Compliance Program

7. Some outstanding results (cont.)

Risk management for import/export cargoes:

- Analyzing advance information of import/export cargoes for pre-clearance scanning;

- Analyzing information for proposing methods of customs control and supervision; for predicting and alerting risks.

Risk management for passengers:

- Applying Risk Management at 09 international airports;

- Analyzing risks, alerting and proposing checks to detect offending subjects.

Risk Management Plan (RM Strategy):

- Issuing annual risk management plan (strategy) to direct risk control, thereby detecting offenses.

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7. Some outstanding results (cont.)

Thematic of Risks control (a kind of Intelligence product) :

- Implementing the thematic of risks control to concentrate resources, measures with the purpose of control high risk cargoes, routes, locations, areas.

Implementing new techniques:

- Post seizure analysis (PSA);

- Compliance measurement;

…

8. Difficulties

Customs modernization requires implementation of new operations

Ineffective collaboration with other units

Ineffective professional operations

Difficulties

IT infrastructure has not been met

Lack of concern to the unevenness of perception

Limited human resources
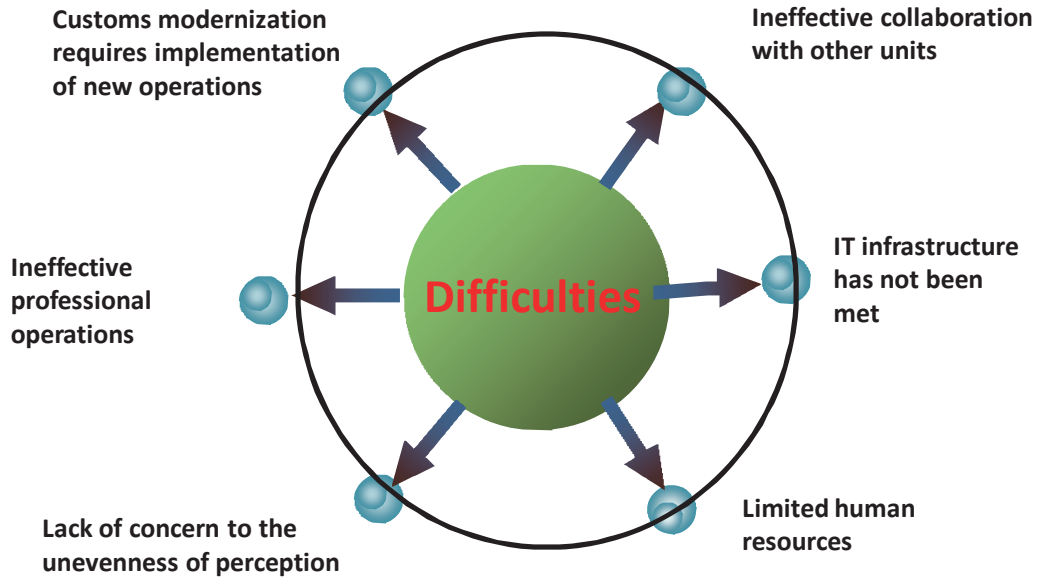
II. Collaborative proposal on risk management

Developing a collaboration mechanism on Risk Management and Compliance Management among APEC member economies

Developing a collaboration mechanism in order to exchange and share information, data among Customs administrations

Exchanging new techniques, good practices of Risk Management

Establishing contact points to exchange information, data, requirements about information and operations

THANK YOU!

General Department of Vietnam Customs
Risk Management Department

Address:	**Lot E3, Duong Dinh Nghe Street, Cau Giay District, Hanoi**
Email:	**cucqlrr@customs.gov.vn**
Phone:	**(+84) 24.39440833/ ext 9622**
Fax:	**(+84) 24.3944.0644**
Hotline:	**(+84) 9022245656**

Asia Pacific Economic Cooperation (APEC) Subcommittee on Customs Procedures (SCCP) Practices for Intellectual Property Rights (IPR) Enforcement

Border enforcement continues to be a global challenge that requires international solutions aimed at enhancing and improving cross-border government cooperation and collaboration. The volume of counterfeit and pirated goods continues to increase in international commerce streams and customs agencies should continue to work together in order to most effectively combat this illicit trade.

These counterfeit goods can pose significant health and safety risks, cut into the revenue of legitimate right holders, and can impinge upon reputations and consumer perceptions of brand names.

Recognizing these potentially serious threats that APEC economies are facing, APEC developed guidelines to be used as a tool to assist in the identification, interdiction, and deterrence of intellectual property violations. By working together with standardized practices, such as these guidelines, APEC economies can reduce the risks and harm that intellectual property violations pose. The resulting set of practices may also serve as a guidance document and resource for future joint operations and/or capacity building efforts in APEC.

<u>Engagement Practices:</u>

1. Network with trade groups and manufacturer's representatives that can provide product information or information on companies that they suspect of counterfeiting or pirating.
2. Promote customs procedures that enable rights holders and industry groups to notify customs of trademark and copyright registrations.
3. Work with international counterparts to increase detection and interdiction of counterfeit and pirated goods by participating in joint operations and information sharing.
4. Increase cooperation with rights holders.

<u>Educational Practices:</u>

5. Develop and regularly deliver an IPR all-day immersion training to customs officers at the ports of entry to educate them and refresh their knowledge on the procedures, policies, and, regulations associated with intellectual property rights enforcement in the customs environment.
6. Work to expand public awareness of the dangers associated with counterfeit goods by frequent media activities.
7. Solicit rights holders on a regular basis to host national webinars and/or port-specific in person training sessions designed to update customs personnel on rights holder products and infringement trends.

<u>Enforcement Practices</u>:

8. Develop a mobile operational team that can carry out all enforcement efforts. This mobile operational team should be comprised of subject matter experts in various areas of responsibility that can be deployed to ports of entry to conduct and/or provide additional staffing during IPR specific operations and exercises. The team would also provide guidance on IPR policies, legal authorities and procedures for enforcement.

9. Increase focus on small shipments such as air express shipments and ocean consolidated shipments. Many smugglers have discovered the advantages of using small smaller shipments and frequently utilize the international mail, or express consignment environments.
10. Keep abreast of new and changing fads in every industry. In today's world, everything and anything can be counterfeited.
11. Consider seasonal trends (i.e. risk assessment in line with holiday related imports and significant sport events, etc.)
12. Focus on external allegations that may expose an undiscovered national surge/trend of an IPR exploited industry or product not yet on customs' radar.

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Annex I: IPR Case Studies

Engagement Practices Examples:
<u>**Engagement Practices Examples:**</u>

Chinese Taipei:

o Customs IPR Information Database including the Right Holders' Complaints/Advice information, photos or catalogues of genuine goods, counterfeit goods or a comparison between both, Customs officers at all check points may inquire the Database at any moment.

o Customs established Real-time Information Reporting System (with pictures): The regional Customs offices report their seizure cases on the system for feedback. Intelligence gathered domestically and internationally is also dispatched on the system for inspectors' reference.

Hong Kong, China (HKC):

o In HKC, the IP right holders provide information and prompt assistance in the identification of counterfeit goods; exchange of intelligence and provision of training on counterfeit identification. Hong Kong Customs collaborates with the local IPR industry and establishes the "Intellectual Property Rights Protection Alliance (IPRPA). The IPRPA is aimed to establish a broad-based platform for fostering closer cooperation between the Hong Kong Customs and the IPR industry. It is a symbol of the stronger commitment of the government and industry to work in collaboration to pursue the goal of removing piracy and counterfeiting.

Mexico:

o The Federal Government at different administrative levels has undertaken a joint action with the private sector to strengthen the fight against the counterfeit and pirated goods. The Administration General of Customs (AGC) has been participating with the private sector and other authorities like Procuraduría General de la República "PGR" (Responsible for investigating and prosecuting the crimes of the federal order), Instituto Mexicano de la Propiedad Intelectual "IMPI" (legal authority that administrate the industrial property system in Mexico), among others authorities, to develop permanent and sustainable strategies for the defense of Intellectual Property Rights (IPR) that deterrence the illicit trade by the exchange of information in which illegal practices of foreign trade are detected and to agree set up rules and procedures to prevent this kind of activities.

o In addition, the AGC with the PGR are working together to establish an action protocol to determine ways of assistance and collaboration among them in order to combat illicit trade and protect IPR.

o The AGC has closely worked with the IMPI to implement a program for identification and inhibition of counterfeit and pirated goods.

o The AGC has developed and is implementing a computer system, that allows its Customs Officers (CO) to create and issuing consultations on IPR, directly to trademark owners and/or its legal representatives, that allowed them to proceed legally against the merchandise if there is any alleged violation of IPR. It is expected that this software will facilitate the customs clearance and to improve the detection of counterfeit merchandise.

AGC is leading the negotiations with PGR and IMPI to share the information of the trade mark database with these two authorities granting them access to the software, in order to facilitate their actions and at their own scope of their competence.

o Additionally, in Mexico AGC uses a trademark database to identified more easily IPR-violating merchandise in the customs all over the country. This database contains the information provided voluntarily by the trademark owners related to licensees, countries of production, and customs of entry; and in some cases also detailed information about the characteristics of the protected goods, identified false products and trade routes.

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Currently, the AGC is working on the reengineering of its trademark base, in order to improve the analysis and data provided by different areas of the AGC. The new version of the database will considerer: online registration for the trademark owners, visual and detailed information on brands and products, tariff codes, the name of product distributors, national and foreign contact details, among others (The database formally began on January 2, 2012 and as June 2017, it has included 6,918 registered brands with 7,634 trademark registrations).

o AGC requests the suspension from the Register of Authorized Importers of those importers who had been accused of infringement or violation of the IPR by PGR and IMPI.

Peru:
o Currently, SUNAT has the voluntary registration of rights holders whose trademarks it protects through border enforcement procedure. To this end, the operational staff reviews the information contained in that registry and serves to form a judgment as to whether the merchandise that is physically verified is presumably falsified, pirated or confusingly similar.

o The Customs Administration is also a member of the Commission for Combating Customs Crimes and Piracy of the Ministry of Production, which meets periodically in order to address issues related to the protection of IPRs. INDECOPI and representatives of IPRs also participate in this commission.

Philippines:
o The Intellectual Property Rights Division (IPRD) under the Customs Intelligence and Investigation Services (CIIS), of the Bureau of Customs (BOC) was rated number one (1) for the year 2016 by the National Commission on Intellectual Property Rights (NCIPR) garnering P1,784,213,600 total amount of seized items for the year given.

o Through close partnership and monitoring with the brand owners, other government agencies and the general public, the BOC remains resolute in its commitment in curbing out the proliferation of counterfeit goods in the market.

United States:
o In the United States, CBP officials regularly use product identification guides that are designed and provided by the rights holders to help assess the legitimacy of products that they examine. A company's product ID guide contains specific information and details about products it has recorded with CBP. These ID guides are made available for customs officers on an electronic database to use as a reference if they have questions or need information regarding a right holder's products.

o CBP organizes and facilitates industry-specific roundtables with rights holders to hear their concerns about emerging intellectual property rights enforcement issues and obtain information that can be used for risk assessment. These roundtables are also opportunities to share information with industry stakeholders so they can become knowledgeable of the enforcement trends and programs that customs administrations are focusing on.

o One outcome that continually arises from multiple economies as a result of the APEC IPR joint enforcement operations is engagement with rights holders in advance of an industry specific operation. Engagement with the relevant industry sector prior to a particular operation will assist with the success of that operation by ensuring the customs authorities have the most up to date product information on items that will be impacted by the operation. This type of private sector engagement serves as a training on product authentication for the front line personnel, leading to increased enforcement of counterfeit goods during an operation.

o In the United States, CBP regularly engages with interested Intellectual Property (IP) stakeholders and trade association representatives as a member of an IPR working group of a statutorily mandated advisory committee, the Commercial Customs Operations Advisory Committee (COAC).   The group convenes monthly to discuss CBP's efforts to stop the trafficking

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of illegitimate goods. The private sector working group members inform and advise CBP and offer recommendations on how CBP can more effectively address the challenges presented by the trade in counterfeit and pirated goods.

Educational Practices Examples:

Chinese Taipei:
- o   Customs enhances frontline officers' knowledge of IPR border measures by hosting seminars and workshops on IPR regulations regularly.

- o   Customs enhances the expertise and enforcement technique for frontline officers by cooperating with foreign Customs and right holders to conduct IPR related training programs regularly.

Hong Kong, China (HKC):
- o   In HKC, apart from taking stringent enforcement actions against IPR crimes, we also stress the importance of public education on promoting IPR awareness, particularly, to the youngsters. Hong Kong Customs collaborates with the IPR industry and 13 local youth uniformed groups and their 250,000 members aged between 9 and 25 in launching the "Youth Ambassador Against Internet Piracy" Scheme. The scheme enables local youngsters to have direct participation in fighting internet piracy and allows them to cultivate the sense of respecting others' IPR at a young age. Hong Kong Customs also works closely with the Intellectual Property Department and the Education Bureau to deliver IPR enforcement talks to local students in order to reminder them of the criminal liabilities of committing IPR infringing acts.

Mexico:
- o   The AGC jointly with trademark owners and/or legal representatives of IPR in Mexico; the American Chamber of Commerce of Mexico, and the Mexican Association for the Protection of Intellectual Property offer an annual training program for CO with the purpose of strengthening the CO's detection capabilities of allegedly counterfeit merchandise.

- o   The US Government (trough the CBP, the Department of the United States of America and the Embassy of the United States of America in Mexico), the European Union and the World Customs Organization (WCO) have conducted international intellectual property training for CO. The AGC has at least 4 people certified by the WCO as Technical Operative Advisers in the field of IPR, who support for training in aspects of international regulations.

Peru:
- o   The Customs Administration receives training on the part of the IPR holders as received on July 19 of this year where a workshop was held in the auditorium of the Air and Postal Customs Office in order to show how the original products of the counterfeit marks ADIDAS and REEBOK, the workshop was in charge of the Barlaw Law Firm (represented in Peru by, among other marks, ADIDAS and REEBOK). Also, the Commission for Combating Customs Crimes and Piracy of the Ministry of the Production (of which SUNAT is a part) has carried out in the Customs Office of Puno the workshop "Piracy of Paid Television by means of FTA Decoders" held on August 3, 2016 and the last one held in the city of Piura on June 21 of this year with the Seminar - Workshop "Electricity is not a game: risks caused by the commercialization of electrical materials of sub standard quality" involving a SUNAT speaker on the subject: Customs mechanisms and procedures for control and alert intervention related to electrical, sub standard and potentially falsified products

- o   These trainings also extend to the staff of the Prosecutor's Office and Judicial Branch, such as the "Specialized Workshop on Customs, Tax, Intellectual Property and Environmental Crimes", held on September 20, 22, 27, 29 and 4, 6 and October 11, 2016 in the Hearing Room of the Permanent Criminal Chamber of the Supreme Court of Justice.

Philippines:

- o Continuous trainings and seminars are being conducted within and outside the Bureau and undergone by its personnel. Last May 2017, the Seminar on Intellectual Property Rights was conducted attended by CIIS personnel as front liners who should be knowledgeable in distinguishing counterfeit and infringing goods. Resource speakers for the said event were United Laboratories Inc. (UNILAB), Food and Drug Administration (FDA), Havaianas and Panasonic Philippines, Procter & Gamble Philippines, and Adidas Philippines.

United States:
- o In the case of the United States, CBP employs more than 40,000 individuals tasked with enforcing the laws of the United States. In an ever-changing legal environment, and to effectively enforce these laws, significant consideration must be given to the workforce to ensure that it is knowledgeable about current policies and procedures. Therefore, CBP conducts recurrent field training for CBP personnel to facilitate the detection, seizure, and destruction of IPR-violating merchandise, as well as the legal entry of legitimate goods. To make the training effective, various customs experts collaborated to design an IPR training course that has been effectively deployed to many locations in the field. A representative of each office involved in the development of the field training participates by presenting material on how the office works with IPR-related issues. This training is conducted in one day, over the course of eight hours. The IPR training course also assists trainers by giving them direct contact with the field officers. Discussions with the officers allows trainers to gain knowledge about trends and other port specific issues or challenges from these front line personnel.

- o On June 5, 2017, the United States launched the Truth Behind Counterfeits public awareness campaign. This campaign was developed to educate the traveling public about the legal, economic, and public health and safety impacts of IPR infringing merchandise. The campaign is currently located at six airports located throughout the United States. It will continue for eight weeks through the busy summer travel period in order to reach a maximum number of travelers. The campaign includes online ads on websites used by travelers while they are planning and booking their travel abroad.

- o The United States works to get the message out to the public about the dangers of counterfeits by publishing press releases of significant seizures and operational efforts. These media alerts serve to educate the public about trends, dangers, and noteworthy events that consumers should be aware of before purchasing items.

- o CBP has a well-established webinar program that was developed for right holders to educate front line personnel about what to look for when making determinations about illegitimate goods. To promote the use of these webinars by rights holders, personnel at CBP contact rights holders who are recorded with CBP to see if they are interested in conducting one of these training sessions for the field personnel.

Enforcement Practices Examples:
Chinese Taipei:
- o Customs Risk Management Center and Information & Intelligence Center been established to collect information; analyze and assess the risk; target, monitor, and review suspicious shipments.

- o Customs adopted the risk management system with regard to IPR cases. Based on the risk indicators such as mode of transport, way of concealment, country of origin, and description of goods, we established the strategic and organizational context in which risk management takes place. Then, we analyze and rank the risks to identify management priorities and suspect targeting. The frontline officers at the checkpoints will do the inspection according to the assessment, and report the result back to the risk management system.

Philippines:
- o There are two (2) modes of intervention adopted and employed by the country's Bureau of

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Customs in dealing with infringing/counterfeit goods. First is through the exercise of Border Control Measures which enable IPR Holders to lodge an application with competent authorities for the Suspension of Release by Customs authorities of goods which infringe on IPR. The basic work flow of which is as follows; (1) IPR Recordation (filing a continuing complaint), filing a specific complaint, and ex officio actions, (2) Issuance of Alert/ Hold Order, (3) Physical Examination, (4) Seizure, (5) Hearing, (6) Decree (Forfeiture of not), and (7) Disposition of the forfeited goods.

o Infringing and counterfeit items are concealed by importers through "layering packages: (a particular object placed inside a box within a box/sack) placed in the middle or at the far end of the containers. They also use "co-mingling modus" where they mix violative goods with legitimate goods. IPRD counters such modus by conduction a 100% spot-checking of shipments under Alert Order.

o Last January 2017, an Alert Order was issues against Autumn Way Enterprises where counterfeit cell phones such as Samsung S7 Edge, iPhone 7 and cell phone batteries were confiscated. This was achieved through partnership with the brand owners who closely monitor and share vital intelligence reports with BOC agents and personnel.

o The second mode of intervention done by the Bureau is through the implementation of the Letter of Authority (LOA) issued by the Commissioner against owners of warehouses, storage houses and others who keep or store IPR goods therein. Through the LOA, agents of the Bureau can ask evidence of proper payment of import duties and taxes and upon apparent and discovered violation of the IP Code of the Philippines, said agents can act upon it.

o Last March 2017, the IPRD together with CIIS agents raided two warehouse building in Pasay City, which yielded big bulk of counterfeit goods bearing the marks of Nike, Tribal, Adidas, Under Armour, Vans, Gap, Lacoste, Tommy Hilfiger, Bench, Mossimo, Jag, Von Dutch, Lee, Superdry, Calvin Klein, among others.

o Last June 2017, another operation proved to be successful in terms of seizure and apprehension of IPR-related goods. It was conducted in Guiguinto, Balacan where a complex which houses unauthorized production and storage of counterfeit health and beauty products such as soaps, shampoos, liquid detergents, among others and cigarettes were seized. Some of the warehouses therein contain machines used for full manufacturing of the given items.

United States:
o In 2014, CBP created the concept of a Mobile Intellectual Property Enforcement Team (MIPET). These MIPET teams consist of subject matter experts from various offices in the agency, and are sent to work directly with the staff at ports of entry during an IPR enforcement operation. This is done with the goal of providing support to permanent port personnel where the operation is taking place. To date, CBP has conducted 24 MIPET operations. This has led to 4,700 seizures of IPR-infringing goods worth a total estimated value of $119,714,790, had the goods been genuine. Given the success of this concept, CBP plans to continue to deploy these teams to assist in interdicting IPR-infringing items, including items that potentially can pose threats to national security.

o Due to the fact that counterfeit goods are increasingly being shipped via express consignment, CBP conducts special operations specifically designed to target illicit goods in the express environment. One recent example is an operation in express consignment that took place in March 2017. The operation occurred over the course of three days and resulted in 139 seizures with an estimate value of over $1.6 million dollars, had the goods been genuine. The operation resulted in the seizure of a number of different goods, many of which posed health and safety concerns such as auto parts.

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o   In December 2015 hover boards were at hot item for holiday gifts. Many of them contained counterfeit parts that were causing fires and creating other safety hazards for the consumer. As a result of this industry fad, CBP focused on targeting hover boards coming into the country to ensure that items containing illegitimate batteries or other components that could cause safety concerns were not allowed to enter.

o   Every year CBP participates in a significant operation in preparation for the Super Bowl to target jerseys, shoes, rings, and other items related to the event that consumers are interested in purchasing. The 2017 Super Bowl focused operation was conducted a few weeks prior to this major American sports event at two U.S. ports (three days at each port) and resulted in 330 seizures with an estimated value of $3,241,364, had the goods been genuine.

o   CBP established e-Allegations, an online tool to enable the trade community and the public to provide information to CBP on violations of trade laws, including violations of IPR laws. The public can report any suspected counterfeits by going to eAllegations on the CBP.gov website.

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VIET NAM NATIONAL STEERING COMMITTEE 389 FOR FIGHTING AGAINST SMUGGLING, COMMERCIAL FRAUDS & COUNTERFEITS
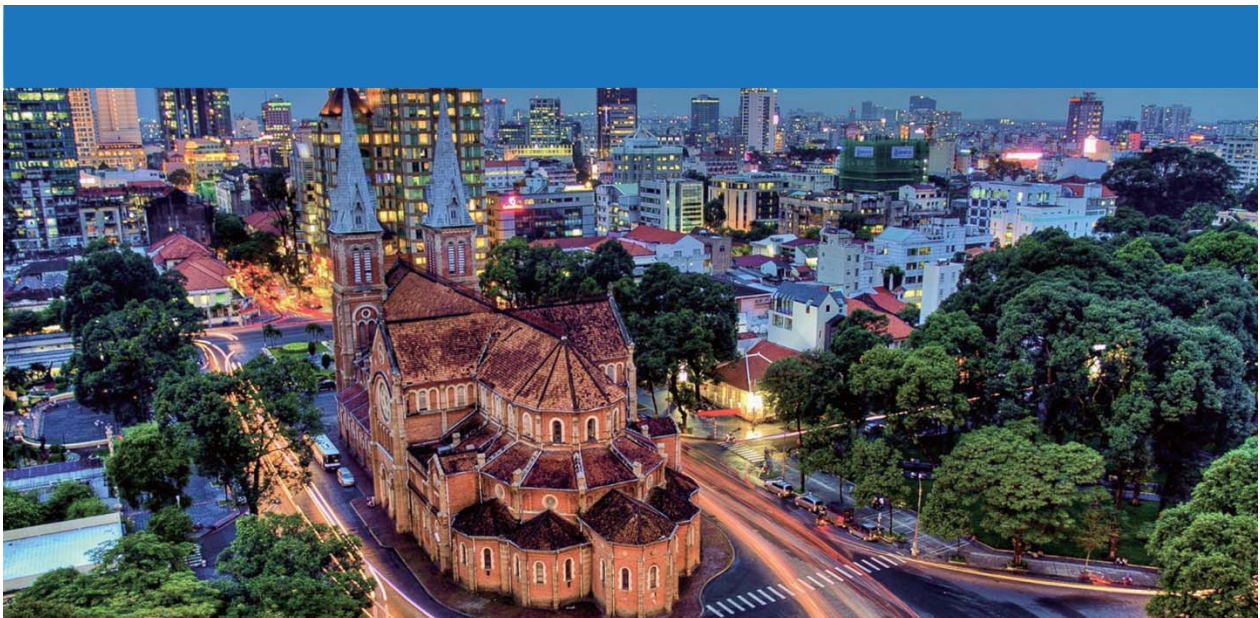
I. BACKGROUND OF ESTABLISHMENT

The Context

- **Trends of increasing global integration** with both advantages & disadvantages affecting the economy's security & growth

- **Greater challenges arising** in the field of illegal smuggling, commercial frauds & counterfeit goods

- **The need for inter-agency cooperation & collaboration to mobilize joint - efforts** to combat the above mentioned unlawful activities

On March 19, 2014, the Prime Minister signed the Decision 389/QĐ-TTg to establish the **National Steering Committee For Fighting Against Smuggling, Commercial Frauds and Counterfeits** (popularly known as *National Steering Committee 389*).

II. ORGANIZATIONAL STRUCTURE

CHAIRMAN

March 2014- April 2016
Mr. Nguyen Xuan Phuc
- Prime Minister-

April 2016 onwards
Mr. Truong Hoa Binh
- Deputy Prime Minister -

VICE-CHAIRMAN

Minister of Finance

Minister of Commerce and Trade

Deputy Minister of Public Security

Deputy Minister of Defense

COMMISSIONERS

Deputy Ministers and leaders of relevant governmental agencies

PERMANENT OFFICE

Headquarter at the General Department of Viet Nam Customs

PERMANENT OFFICE
at the headquarter of Viet Nam Customs Administration

THE RELATIONSHIP
OF GUIDING & COORDINATING

To maintain the regime of report & information exchange, guiding & collaboration *(timely & periodically)*

NATIONAL STEERING COMMITTEE 389

STEERING COMMITTEE 389 OF MINISTRIES

STEERING COMMITTEE 389 OF LOCALTIES (PROVINCES)
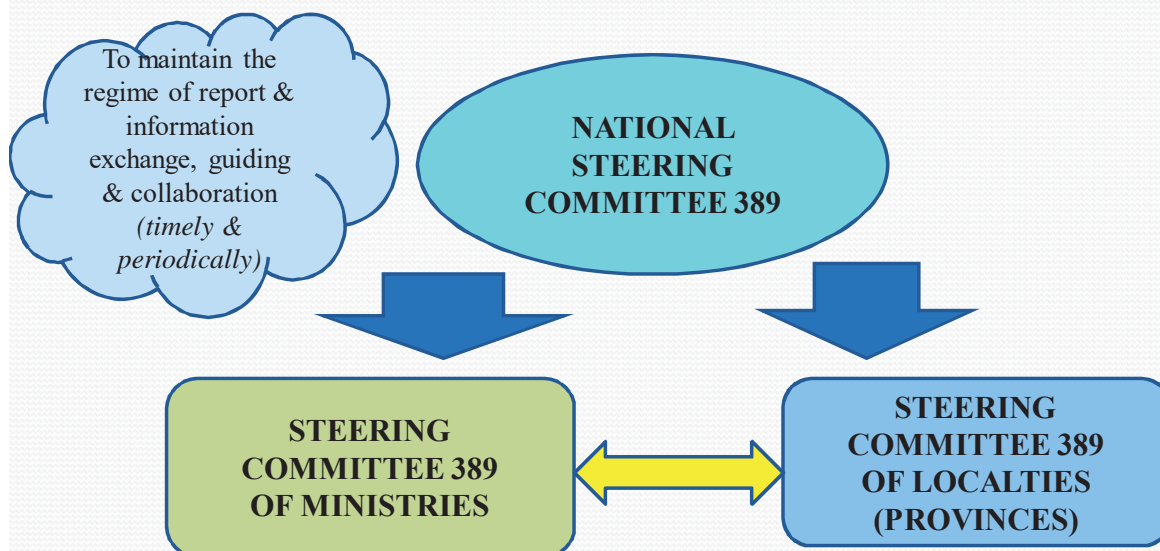
III. MAIN ACTIVITIES BY NATIONAL STEERING COMMITTEE 389

To design strategies

To propose amendments to relevant laws & legislations

To provide guidelines & leadership for the enforcement

To organize delegations to inspect local infringement handling

To direct scientific research & international cooperation

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III. MAIN ACTIVITIES BY NATIONAL STEERING COMMITTEE 389
(cont)

To direct relevant authorities to coordinate with the news agencies for awareness raising & propaganda

To implement other responsibilities decreed by the Chairman

IV. Achievements gained by the National Steering Committee 389

OUTSTANDING FIGURES (2014 – 2016)

Cases of discovered violations
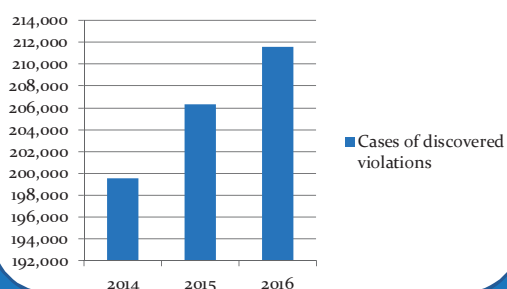
Taxes and fees collected from discovered violations
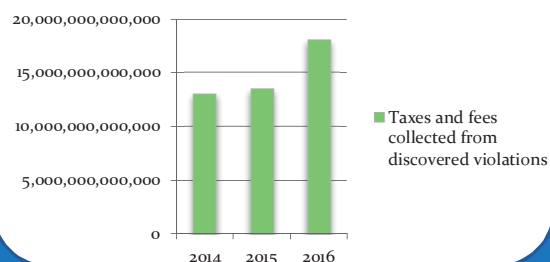
Number of prosecutions
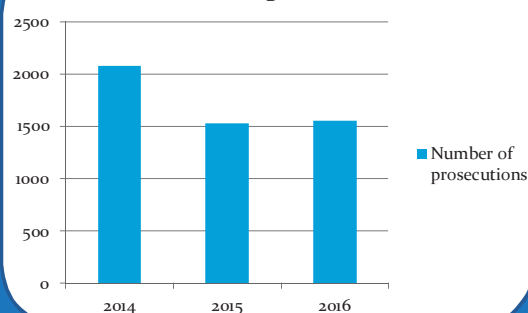
FIGURES *(the first 6 months of 2017)*

Competent Agencies	No. of infringement cases				State Budget Collection (million dong)	No. of prosecuted cases	No. of prosecuted violators
	Smuggling	Commm-ercial frauds	Counter-feits	Sum			
Borderlands Security	2.007	5	-	**2.012**	86.700	694	820
Marine Police	91	23	-	**114**	39.909	52	-
Police	5.213	379	209	**5.801**	237.509	423	552
Customs	570	10.671	8	**11.249**	1.069.213	20	-
Market Surveillance	8.462	35.415	2.258	**46.135**	251.400	-	-
Taxation	-	23.095	-	**23.095**	6.259.060	-	-
Others	-	118	40	**158**	5.876	-	-
Sum	**16.343**	**69.706**	**2.515**	**88.564**	**7.9499.667**	**1.189**	**1.372**

V. DIRECTIONS BY
THE NATIONAL STEERING COMMITTEE 389

THE FUTURE AHEAD

Continue the **comprehensive coordination** of relevant ministries, and agencies to implement the fight against smuggling, commercial fraud and counterfeiting;

Direct relevant ministries and agencies to continue **reviewing and proposing amendments and supplements to the legal documents**, supporting governmental forces in carrying out their duties;

Direct relevant ministries and agencies to **build up and deploy programs** that strengthen the monitoring and control of the market against unlawful violations. Focus on controlled items, high-risk areas involving prohibited goods or goods with high tax rates, commodities requiring specialized licenses, goods in violation of intellectual property, goods with the possibility to affect public health and the environment, etc.

Through mass media, **build a consensus** among people and the society and mobilize the masses, organizations and businesses to join the fight against smuggling, commercial frauds and counterfeit goods.

THANK YOU FOR YOUR ATTENTION!

Doan Thu Ngan (Ms.)
Vice Head of Division
Anti-Smuggling & Investigation Department
General Department of Viet Nam Customs
Tel: +84 24 39440833 Fax: + 84 24 39440633
Cell: + 84 936 189 008
E-mail: ngandt2@customs.gov.vn

Customs' Efforts in Combating Trademark Infringement

- in collaboration with Trademark Office, and Right Holders

Customs Administration, Ministry of Finance
Chinese Taipei
August 2017

Contents

I. Amendment of Customs Trademark Regulations

II. Improvement of Customs IPR Database

III. Expansion of Online Service to the Public

IV. Customs IPR Capacity Building

V. Conclusions

Customs

Trademark Office (TIPO)

Right Holders

I. Amendment of Customs Trademark Regulations

Modes of Trademark Protection

(Import/Export)

Applied by Right Holders

Customs Own Initiative *(ex officio)*

Provide Security for Detaining Suspected Infringing consignments

Customs Recordation
Free of Charge
➢ Advice

I. Amendment of Customs Trademark Regulations

"Regulations Governing Customs Measures in Protecting the Rights and Interests of Trademark"

- Authorized by Trademark Act
- Promulgated on July 9, 2012
- Latest Amended on December 30, 2016
- Stipulated Customs Trademark Enforcement Procedures

I. Amendment of Customs Trademark Regulations

The duration of advice protection (Customs recordation)

- One year starting from the date of approval
- Apply for extension every year

→ From the date of approval to the expiry of the period of the trademark right (maximum 10 years)

I. Amendment of Customs Trademark Regulations

Providing photos of suspected trademark infringing goods to right holders before making on-site identification

Not allowed →

- Photos provided for right holders to determine whether to identify the goods on-site or not
- Photos will be used for information only
  X Making identification

II. Improvement of Customs IPR Database

- **Established in April 2008**
- **Renovated in March 2016**

  Establish a dedicated database in Customs intranet to integrate IPR related programs

II. Improvement of Customs IPR Database

The dedicated database in Customs intranet

- **Information and data from right holders**
- **Real-time report of seizure cases**
- **Records of the on-site identification**
- **Trademark un-declared or mis-declared cases**
- **Related statistics**

III. Expansion of Online Service to the Public

Customs online application (recordation) system
- **Established in October 2014**
- **Renovated in April 2016**

Expand the types and contents of online application system to upgrade Customs online service

Customs online application (recordation) system

- **Application for advice**
- **Application for extension period of advice protection**
- **Application for adding supplement data before application being approved**
- **Application for renewing data for active advice protection cases**

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- **Application for adding supplement data before application being approved**

12

- **Application for renewing data for active advice protection cases**

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"Application for advice" offers more space for right holders to provide more detailed information to Customs

- **Information of genuine goods:** authorized companies, route of import/export, logistic companies and brokers, country of origin
- **Information of counterfeits:** suspicious infringers (blacklist), route of import/export, port of origin, country of manufacture

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IV. Customs IPR Capacity Building

Annual training of IPR related laws and regulations for front-line officers held at four field Customs

Training on November 22, 2016 at Kaohsiung Customs

Training on December 6, 2016 at Keelung Customs

IV. Customs IPR Capacity Building

Annual counterfeit Identification Training for front-line officers held at four field Customs

Training on May 2, 2017 at Taichung Customs

Training on May 3, 2017 at Taipei Customs

IV. Customs IPR Capacity Building

Annual workshop on the Identification of Counterfeit Goods

Workshop on the Identification of Counterfeit Goods held on November 24-25, 2016 in Taipei

MICHAEL KORS   LACOSTE   CropLife
PHILIPS
NIVEA   LONGCHAMP   LV
APPLE
NEW ERA   TIFFANY   THE NORTH FACE
NIKE   (★)CONVERSE
PANDORA
DOLBY   BEATS BY DR. DRE

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IV. Customs IPR Capacity Building

Meetings for information and experience sharing with right holders

Meeting on April 18, 2017 at Customs Headquarters with right holders from Japan
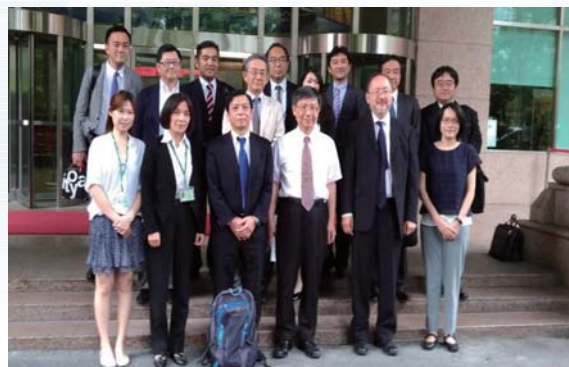
Meeting on June 29, 2017 at Customs Headquarters with Asian Patent Attorneys Association (APAA)

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V. Conclusions

- Cooperation among Customs, Trademark Office, and Right Holders leads to a big success in combating trademark infringement at the border
- Customs – Business Partnership creates a win-win situation to fight against trademark infringements

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Thank You

Website: http://web.customs.gov.tw
E-mail: aliceyuan@customs.gov.tw

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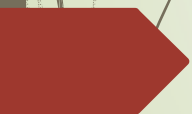
Current Trend
of IPR Infringements
in JAPAN

Yuta Takamiya
Customs Tariff Bureau,
Ministry of Finance, Japan

Topics

1. Statistics of seized counterfeits

2. Border Enforcement

3. Public Awareness

1. Statistics of seized counterfeits

❑ Seizure Results 2012-2016(Import)

Number of Cases

Number of Articles (1,000)

Legend:
- Cases (green)
- Articles (blue)

Year	Cases	Articles
2012	26,607	1,118
2013	28,135	628
2014	32,060	896
2015	29,274	690
2016	26,034	623

In every year of past 5years over 600,000 articles / 26,000 cases

❑ Seizure Results 2012-2016(Import)

Cases

- Key cases 2.7%
- Pharmaceuticals 2.8%
- Watches 3.8%
- Footwear 9.2%
- Apparel 13.6%
- Others 14.8%
- Bags 37.6%
- Mobile-Phones and accessories 15.6%

Articles

- Housewares 1.2%
- Accessories 1.4%
- Key cases 1.6%
- Electric appliances 3.0%
- Automobile and parts 4.0%
- Apparel 5.7%
- Bags 6.1%
- Others 27.3%
- Computer products 31.3%
- Mobile-Phones and accessories 12.0%
- Pharmaceuticals 6.3%

❑ Seizure Results 2012-2016(Import)

2. Border Enforcement

❑ Border Enforcement
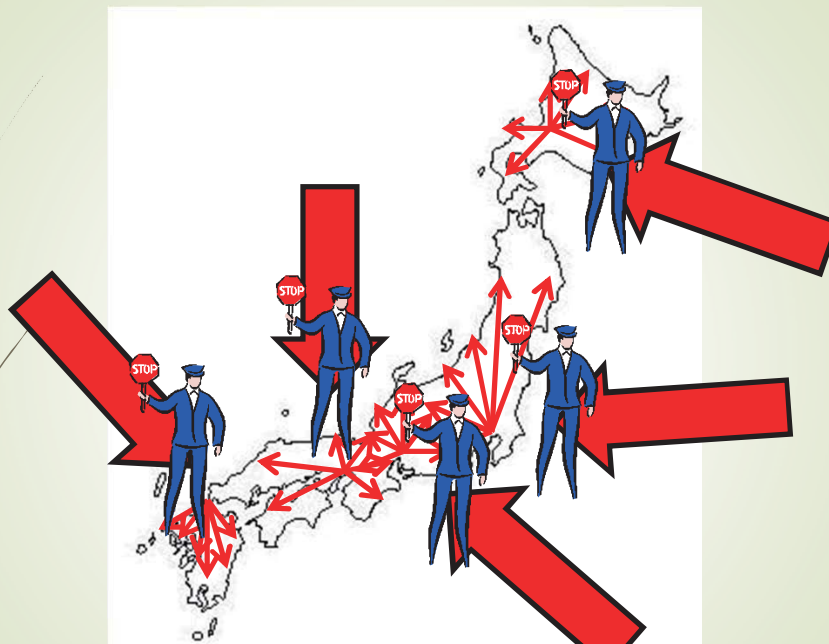
Customs can prevent the influx of counterfeit goods into domestic market.

❑ **Border Enforcement**

Concealment has become complicated more.

❑ **Border Enforcement**

Divided items has been sent.

❑ Border Enforcement

CIS	Intranet Bulletin Board

NO FAKE NO PIRACY NO FAKE

****Course

dd/mm/2017

❑ Border Enforcement

【 In-House Training by Right Holders 】

- **181 training seminars**
- **A total of 2,478 participants**
  (in FY 2016)

❑ Border Enforcement

**Product Identification Training（In-House Training）
by Right Holders**

> **Identification Techniques**
> The damage caused by infringing goods
> Seizure cases
> Latest trend

3. Public Awareness

❏ Public necessary is needed?

1. Enhance Enforcement 2. Raising Public Awareness
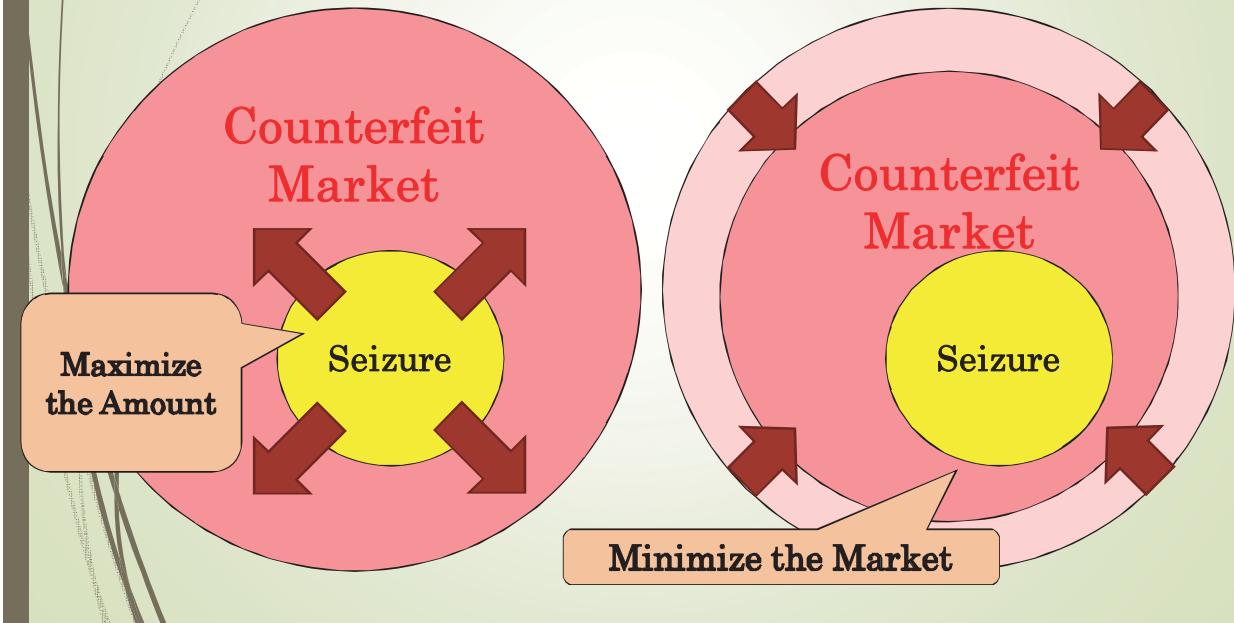
❏ Public Awareness

Magazine Advertisement (March 2009〜)

Poster (March 2017〜)

❑ Public Awareness

Seizure Statistics
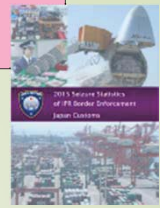
Customs procedures

Contents for rising awareness

❑ Public Awareness

Facebook

YouTube

Twitter

Counterfeits can harm people's health and safety!!

❑ Public Awareness

❑ Public Awareness

❏ Public Awareness

Thank you for your kind attention.

Yuta Takamiya
Ministry of Finance, Japan
(yuta.takamiya@mof.go.jp)

WCO's Initiatives on E-Commerce

APEC Sub-Committee on Customs Procedures

20 August 2017
Ho Chi Minh City, Viet Nam

1

CROSS-BORDER E-COMMERCE

Efficiency of clearance and delivery of low value and small parcels is especially crucial. To manage E-Commerce transactions, Customs administrations need to engage with all relevant stakeholders to collectively define the appropriate approach to adopt both from a trade facilitation and enforcement perspective.

Essential elements of cross-border E-Commerce
1. Online initiation;
2. Cross-border transaction/shipment;
3. Physical goods; and
4. Destined to a consumer (B2C and C2C)

Key characteristics of E-Commerce cross-border transactions
- Time-sensitive goods flow;
- High volumes of small packages;
- Participation of unknown players;
- Return/refund processes required.

CHALLENGES FACED BY CUSTOMS

Trade facilitation and security
➢ Ensuring speed and efficiency in the clearance process for an increasing volume of transactions;
➢ Managing change from a few large/bulk shipments into a large number of low-value and small shipments;
➢ Managing risks posed by limited knowledge on importers and the E-Commerce supply chain (new class of sellers and buyers/occasional shippers and buyers);
➢ Ensuring data quality (accuracy and adequacy of the data received);
➢ Defining the role and responsibility (liability) of E-Commerce operators to assist governments (e-vendors/ intermediaries).

3

CHALLENGES FACED BY CUSTOMS

Fair and efficient collection of duties and taxes
➢ Identifying abuse or misuse of '*de minimis*' for illicit trade purposes (splitting of consignments/undervaluation);
➢ Ensuring compliance with classification and origin rules;
➢ Integration of E-Commerce vs traditional trade.

Protection of society – criminal exploitation of E-Commerce
➢ Setting up a specialized unit to search the Web for information which might be of use in preventing, detecting, investigating and prosecuting a Customs-related offence;
➢ Enhancing international cooperation and ensuring that agreements on mutual legal assistance are in place to allow for investigations or prosecutions when websites are hosted outside a national territory;
➢ Making the most of existing technologies, especially those related to data analysis.

4

WORK DONE SO FAR BY THE WCO

- Study Report on E-Commerce;
- Detailed analysis of alternate models of revenue collection;
- Joint WCO-UPU messaging standards for advance electronic information;
- Pre-loading advance cargo information (PLACI) for air and postal shipments;
- Revised CN22/23 with additional data elements;
- Risk indicators for express and postal shipments;
- Setting up a working group.

5

THE WCO WORKING GROUP ON E-COMMERCE

- Established in July 2016;
- Co-chaired by Customs and the private sector;

- Mandate – propose solutions to the clearance of low value shipments, including appropriate duty/tax collection mechanisms and control procedures that will facilitate and encourage the growth of E-Commerce;
- Comprises various stakeholders.

- 1st Meeting of the WGEC – 21-23 September 2016
  - Sub-Group Meetings – 23-25 January 2017
    - 2nd Meeting of the WGEC – 10-13 October 2017

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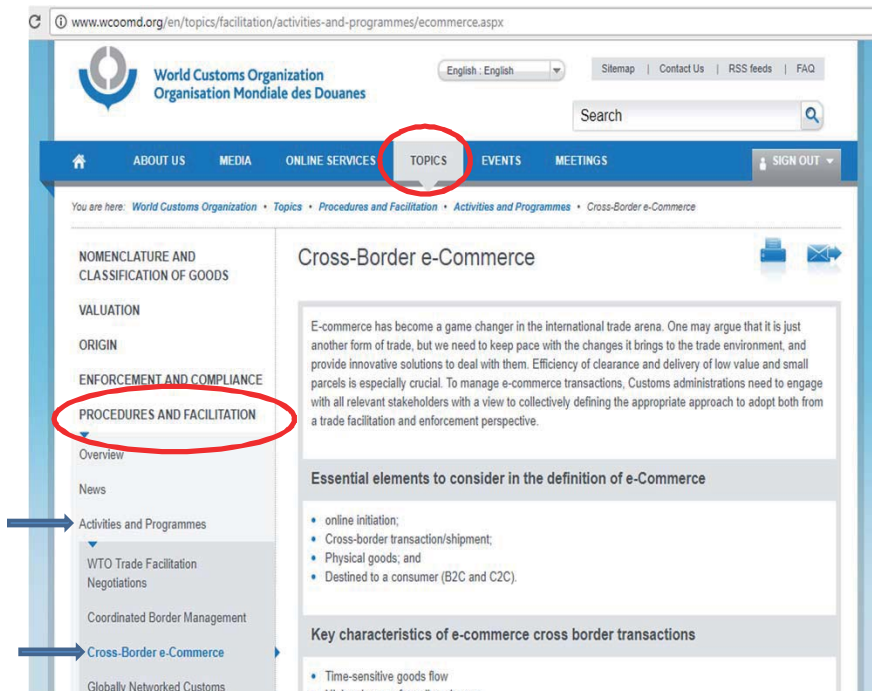
THE WCO WORKING GROUP ON E-COMMERCE

Areas of work

I. Trade Facilitation & Simplification	II. Safety & Security
- Definitions of terminologies - Enabling legislation for e-commerce - Automated systems - Single Window (other government agencies) - Exchange of advance electronic data *(interoperability, minimum data sets, data quality, data privacy)* - Trusted Trader/AEO programme for e-vendors marketplaces and intermediaries - enhanced facilitation - Framework/guidelines/standards - harmonization and support to to micro, small and medium enterprises - Return/refund (drawback) processes - Implementation and review/update of the WCO Immediate Release Guidelines and other related tools	- Product safety - Illicit trade - Quarantine/bio-security - Dark web/net - Cyber security - Illicit Financial Flows - tracking financial trails - Cooperation and information exchange between Customs administrations - Smuggling of high-value items and environmentally sensitive goods - Non-intrusive inspection (NII) technologies - Review/update of relevant tools - Case studies
III. Revenue Collection	**IV. Measurement & Analysis**
- *De minimis* - Simplified entry threshold - Classification, valuation, origin issues - Harmonized System Navigator, integrated tariff database - Transactional approach vs account-based approach - Alternate models of revenue collection (including impact analysis on the industry and government) - Fees and charges - Cooperation amongst authorities (Customs and Tax)	- Big Data - Stocktake and analysis of work currently being undertaken by international bodies - Research and analysis of various e-commerce business models - case studies - Measuring e-commerce flows and economic benefits - Capacity building, awareness, and education - implementation support

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INFORMATION ON THE WCO WEBSITE

www.wcoomd.org

Tools and reports developed so far

\+ Sub-sections on:
- WCO tools that support E-Commerce
- Work with other stakeholders
- Experts' Corner
- Case Studies on E-Commerce
- Articles published in WCO News

WHAT IS NEXT?

- Development of recommendations/guidelines/framework on cross-border E-Commerce (by June 2018);
- Enhancement/update of related WCO instruments and tools including the Immediate Release Guidelines;
- Development of measures at both policy and technical levels for enhanced facilitation and effective controls in relation to cross-border E-Commerce;
- Publication of case studies/best practices of WCO Members and business in the area of cross-border E-Commerce;
- Development and deployment of electronic interfaces or exchange of information mechanisms:
  - Between Post and Customs;
  - Between e-platforms/vendors and Customs;
  - New actors in the E-Commerce chain/new E-Commerce business models = New data sources.

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Thank you for your kind attention!

Vyara Filipova

Technical Attaché

Compliance and Facilitation Directorate

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Indonesia Customs – Postal Service AEI Initiative:
Facilitating Cross Border E-Commerce

Ministry of Finance
Republic of Indonesia

DIRECTORATE GENERAL OF
CUSTOMS AND EXCISE

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Background

(the matters behind the initiative)

Directorate General of Customs and Excise
Ministry of Finance – Republic of Indonesia

Background

Growing E-commerce transaction	A game changer in international trade. Provides businesses and consumers a new perspective to sell or buy goods. Increase in small parcel consignments.
MoF Regulation No.182/PMK.04/2016	Aims to better facilitate and control e-commerce consignments. AEI helps Customs in achieving the goals.
SCCP Collective Action Plan	Improvements in Customs Control on Cross-Border E-commerce. To welcome postal operator's participation in the UPU electronic data inputs and data exchange

Directorate General of Customs and Excise
Ministry of Finance – Republic of Indonesia

The Initiative

(aim; action plan; current status; challenges)

Objectives

SERVICES	FACILITATION	COMMUNITY PROTECTION	REVENUE
Better Release Time	*Facilitating E-Commerce Consignments via Postal Service*	*Risk Management for Better Control*	*Optimum & Fair Revenue Collection*

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Action Plan and Current Status
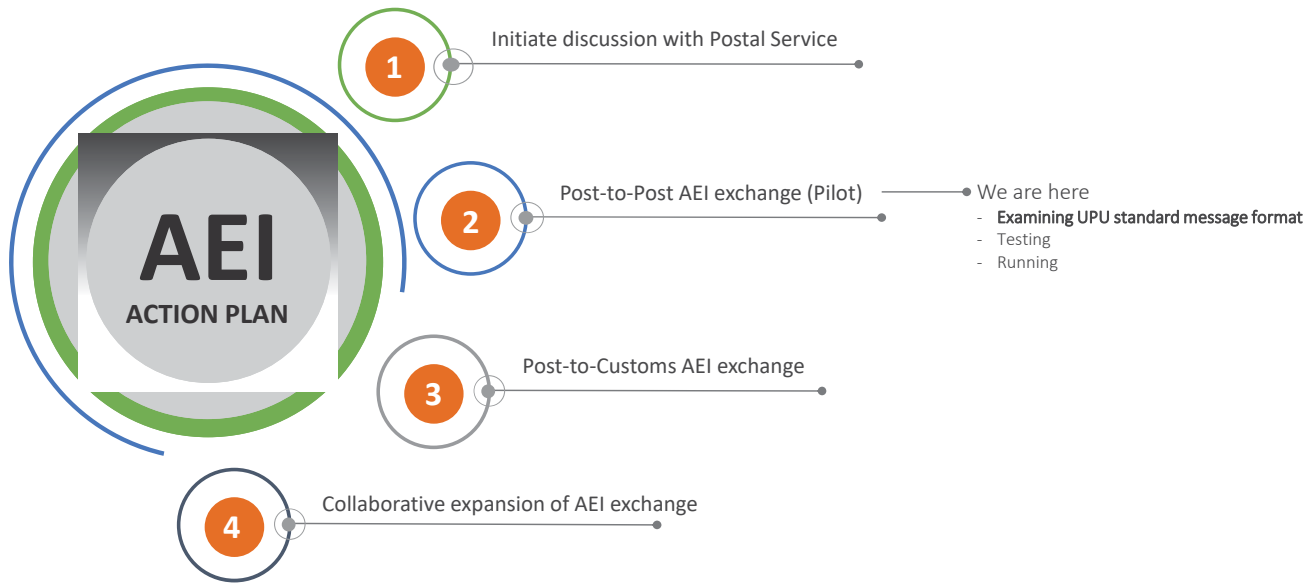
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1  Initiate discussion with Postal Service

   AEI
   ACTION PLAN

2  Post-to-Post AEI exchange (Pilot)          ● We are here
                                               -  Examining UPU standard message format
                                               -  Testing
                                               -  Running

3  Post-to-Customs AEI exchange

4  Collaborative expansion of AEI exchange
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The Pilot Project

JAPAN 139,646	**SINGAPORE** 97,578
USA 52,716	**JAPAN** 50,314
SOUTH KOREA 48,760	**CHINA** 35,311
TAIWAN 34,790	**HONGKONG** 34,790
HONGKONG 26,235	**MALAYSIA** 21,209

34.4%

14.9%

INWARD POSTAL CONSIGNMENT

2016	2017 (June)
405,708	337,505
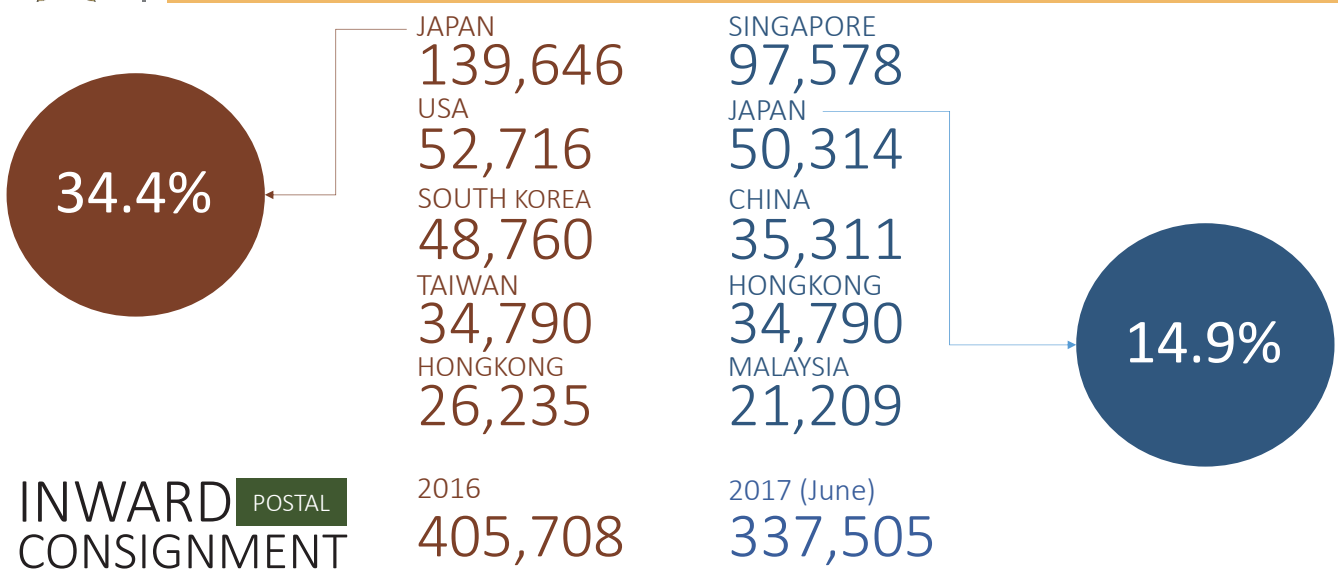
Challenges

Postal Service is unique

Postal Services in the world are different entities unlike multinational courier services. UPU has been a cooperation platform, but for AEI bilateral approach is necessary.

Diverse message format

Although data elements are similar, electronic message format may be different between countries.

To facilitate cross-border e-commerce, Customs Administration has a key role in supporting Postal Service to participate in the UPU electronic data inputs and data exchange

Way Forward

(next steps; follow ups)

Way Forward

E-commerce is inevitably growing

AEI exchange may help Customs in facilitating and better controlling E-commerce consignment via Postal Service. Customs need to collaborate with Postal Service.

Connect and Expand

While establishing connection with Postal Service, we look forward to discuss opportunities for collaboration with other interested parties.

Directorate General of Customs and Excise
Ministry of Finance – Republic of Indonesia

THANK YOU

Directorate General of Customs and Excise

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Subcommittee on Customs Procedures (SCCP)

INTERIM REPORT

2017 APEC

Time Release Survey

Stock Taking

As of August, 2017

1. Background

SCCP Collective Action Plan (CAP) had been started in 1996. In 2015 SCCP2, the need of modernization of CAP was agreed and the CAP template was also adopted.

For further actions, in 2016 SCCP1, the new draft CAP based on a compilation by members was presented at Agenda items 12 by Japan, and "Economies were invited to consider taking such role. Japan, together with interested Economies, namely, New Zealand; the Philippines; Russia; Viet Nam; Australia; Indonesia; Hong Kong, China; Chinese Taipei; the United States; Korea, and Mexico, will review the draft proposals".

In 2016 SCCP2, "Viet Nam proposed to conduct a survey on Time Release Study (TRS) implementation and proposing recommendations", and this action has cosponsored by Korea. The Time Release Survey CAP 2016 aims to "identify the status of all member economies in order to develop the targeted capacity building program".

Following the Report on Questionnaire on Chokepoint 4 of Supply Chain Connectivity Framework Action Plan made by Japan in 2013, Viet Nam Customs proposed this interim report by collecting answers from other economies to identify the bottlenecks and the area of further improvements at the border posts.

2. Questionnaire

The questionnaire on TRS was developed based on 2014 APEC Supply Chain Chokepoint Diagnostics questions focusing on the modernization of TRS among APEC members. With the consultation of Korea and Japan Customs, Viet Nam Customs as the lead economy of Action 8.Conduct of Time release Survey presented the draft questionnaire at 2017 SCCP1 in February 2017.

The questionnaire is composed of 4 main questions and 14 sub-questions in question No.2. The questionnaire was designed to collect as much as possible information about time to conduct TRS, challenges, composition of Steering Group, scope of study, data collection, distinguishable cases, data analysis, publication of results, conclusion and recommendations, technical assistance capacity building.

Then, Viet Nam Customs circulated the questionnaire through the APEC Secretariat at end of April, 2017. As of 9th August 2017, the coordinator just received the responses from 12 economies: Australia;

Chile; People's Republic of China; Hong Kong, China; Japan; Republic of Korea; Malaysia; Chinese Taipei; Thailand; The Philippines; Mexico and Viet Nam.

This interim report shall be circulated to all APEC members to collect comments and complete the final one which is shared among APEC members. At SCCP2 meeting in August 2017, Viet Nam Customs is going to present the initial results of the survey.

3. Findings

These findings are given based on the responses of 12 economies as of 9th August 2017.

(1) Time to conduct Time release study since 2000

A large of the responses (nine Customs administrations) have conducted TRS since 2000. Almost these administrations conducted 3 times at least.

Hong Kong, China recommends that there is no strong need for Hong Kong Customs to conduct TRS at this precise moment in time, because there is only a negligible amount of cargo detained for customs clearance, and the time for release goods is as short as the standard in their performance pledges.

Chile and Mexico is developing the first measurement based on general outlines in the WCO Methodological Guide.

Japan, Australia, Malaysia and Thailand have conducted TRS at least 6 times since 2000. The result shows trade facilitation in these economies has been promoted steadily. Korea Customs conducts the TRS by using UNI-PASS e-Clearance system thus the time can be measured in real time.

(2) The challenges in each step of conducting TRS

Political commitment: Only Philippines Customs indicates that they are facing to this challenge due to the change of the leadership. The others have no challenges for this.

Organization of TRS Steering Group, Identification of the scope of TRS and develop the plan to conduct TRS: There is only Philippines Customs shows that TRS Group lack of experts and trained members as their challenge in implementing these TRS steps. We strongly recommend Australia, Japan and Malaysia Customs to share experiences on them.

Stakeholder involvement: The finding shows that many economies (six out of nine APEC members) have been facing with the challenges

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of lack of good cooperation of other stakeholders in implementing TRS. Only Chinese Taipei has the participation of private sectors in TRS.

<u>Develop the questionnaire/table to collect data</u>: The responses demonstrate that there is no "one size fits all" questionnaire due to the differences in each customs function and customs method (manual or automatic).

<u>Data collection and verification</u>: The survey indicates that the difficulties in collecting data, such as data incompleteness, lack of other government agencies (OGAs) data, lengthening the time for collecting and aggregating data and inexperienced customs officers are one of the most frequent problems. Four of them have obstacles to the incorrect and missing data issue.

(3) TRS Steering Group

Customs administrations are lonely in conducting TRS in most economies. In Viet Nam, Chinese Taipei and Mexico, Customs works together with OGAs and/or port authority and in Chinese Taipei and Mexico, there is participant of private sectors in the Steering Group.

(4) The scope which TRS cover

<u>Type of traffic</u>:

All of nine APEC Customs administrations have implemented TRS which cover a various means of transport. Their studies measure the time taken for release consignments trading across main airports and main sea ports. These four administrations collect data of goods import/export at main land-border ports while three economies' TRS cover the data for main inland clearing depots/dry ports and postal shipments; five economies have data about express shipments.

<u>Captured time</u>:

Most of Customs administrations have conducted TRS that include the time of arrival, clearance, release permission, physical removal, customs declaration, document checking, physical inspection, whilst four administrations collect data on examination of OGAs. Five economies capture the time of pre-arrival, payment of duty and unloading/loading of goods.

Despite implementing the first TRS, the scope of Mexico TRS covers a various types of traffic and captured time, including the time of OGAs' examination.

Method of data collection:

Five APEC economies record all data from automatic systems, four others use mixed method, while only one economy still collects data by manual method.

Data collecting duration:

The finding demonstrates that almost Customs administrations chose a period of 1-2 weeks for the study as the WCO guide to measure the required time for goods release; two administrations record data 24/7. Meanwhile, one economy has collected data within 01 month because their studies conduct in an automatic environment and one member captures data in both fixed time as WCO guide and system time stamp.

(5) Data analysis

Distinguishable cases:

Five APEC members have indicated data analysis in more than 3 distinguishable cases of results (FCL, LCL, bulk; subject to OGA (out of Customs) import process or not; AEO importers/AEO Customs brokers….), whilst two members have only focused on control channel. These two others have not analyzed data in any case.

Statistical processing:

The survey shows that most of APEC economies demonstrate their TRS results in simple average number, while three others analyze data in basic statistical processing. TRS results are shown as static information in eight administrations and only one administration has dynamic information.

(6) Results dissemination

Eight APEC Customs administrations have publicized the study result. Haft of them announce the result publicly and the others only provide to aggregate ones. There is only one economy do not publicize the result yet.

(7) Conclusion and recommendations

Eight members have covered customs procedure/administrative arrangement in their recommendations. For Korea Customs, as they measure in real-time so release time would be included into the Single Window system. Six members recommend the OGA procedures and three economies mention to private sector performance.

Some of Customs administrations and stakeholders have introduced the measures taking into account the recommendations of the time release study for further improvement. This number should be increased to take use of the results on TRS.

(8) Technical Assistance

There was no significant technical assistance from development partners in conducting the TRS. However, three Customs administrations have been supported by ADB for TRS introduce conference or TRS publication conference and one member have support from JICA and EU-TRTA.

APEC should extend more TA on this field so that other interested APEC economies could approach to the international standards to cut down the release time and facilitate the goods movements.

(9) Actions

Apart from actions taken by Customs administrations in the 2014 APEC Supply Chain Chokepoint Diagnostic, some other actions that APEC economies have been taken based on the TRS findings and recommendations that other APEC economies can take into consideration and learn lessons can be listed as following:

(i) Customs procedures:

- Identify the bottlenecks in customs procedures and enhance the clearance efficiency accordingly;

- Expedite the pre-arrival processing and pre-arrival clearance;

- Introduce one-stop center for inspection at the ports;

- Optimize online processes and reduce the human intervention practices;

- Enhance the implementation of E-payment, e-manifest.

(ii) Coordination among OGAs:

- Recommend OGAs implement automated systems to conduct their procedures;

- Boost National Single Window to strengthen the coordination between Customs and OGAs and reduce time for export/import procedures;

- Conduct coordinated border management initiatives to work closely with licensing agencies;

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- Coordinate with OGAs to regulations concerning inspection procedures, list of goods in HS needed to take specialized inspection.

(iii) Others

- Create a dedicated TRS team to enhance TRS implementation;
- Do more public hearing and encourage more importers to be AEOs;
- Encourage the stakeholders to use E-payment.

4. Recommendation

With up-to-date information, it is particularly notable for the effectiveness and efficiency of WCO Time release study method. Good practices would be shared for boosting capacity building further. Otherwise, it is indicated the difficulties and challenges faced by some APEC Customs administrations to conducting TRS.

Aiming to get more information to analyze, the coordinator strongly proposes to ask more inputs from those economies who have not submitted within 01 month after the SCCP2 in Viet Nam (August, 2017).

The coordinator also suggests that the interim report will be accepted to be transferred to the CTI as attachment to the SCCP rapporteur's report. The interim report will become a final subject to possible addition/modification provided by the member economies' further inputs.

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2017 APEC SCCP Time Release Survey

Q1 — When did your economy conduct time-release surveys (TRS) since 2000? Please fill in all years when TRS were conducted.

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q1	2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014			Chile has not been conducted Time Release Studies (TRS). We are currently developing the first measurement based on general outlines contained in the WCO Methodological Guide	China Customs conducted TRS in 2016 and finished the TRS report during the period of 2011-2015. In our case we don't do sampling or survey, we obtain all the data from the trade statistics system of China Customs, and calculate the average release time.	N/A		2001, 2004, 2006, 2009, 2012, 2015	Korea Customs conducted TRS in real time (By using UNI-PASS, e-Clearance system all cargo can be measured in real time)	2016 (not yet completed) 2014, 2012, 2011, 2010, 2009, 2007, 2003	Mexico is conducting the first TRS study, we received a TRS workshop from the WCO in november 2016 and began the working plan in March 2017.				2004, 2010, 2014 and 2017			2011, 2014, 2016, 2017 (not yet completed)	1. December, 2003 2. September, 2005 and March, 2006 3. July-August, 2006 4. July, 2007 5. June, 2012 6. December, 2014 7. January, 2016		2010, 2013, 2015

Q2 — If Yes to Q1,

Q2.1 — Please √ describe what kind of challenges, if any, did you face in each step of the TRS?

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.1.1 Political commitment to conduct the TRS	N/A				No				There is no special challenges for the TRS, due to the automatic measurement by UNI-PASS	Understanding of the importance of this diagnostic tool and WCO TRS concept that can effectively and efficiently improve organizational performance that will lead to the increased competitiveness on one nation. The availability of competent personnel and adequate finance to implement the program.	The TRS study is a priority for our Administrator General of Customs and it is supported by all the Customs departments.				Lack of political commitment due to constant change in the leadership			N/A			
Q2.1.2 Organization of TRS Steering Group	N/A				In China, several governmental agencies are involved in border procedures and management, and the data required for the TRS is scattered in different systems, so we need their support and cooperation to conduct this work.					Small group of Co-workers	The group is completed.				Lack of expert and trained personnel			N/A			
Q2.1.3 Identification of the scope of the TRS	N/A				No					Not much problem	Yes				Due to lack of trained personnel to carry out TRS, this activity is always done with a Consultant or Short Term Expert			N/A			
Q2.1.4 Develop the plan to conduct TRS	N/A				No					Not much problem	Yes - March 2017							N/A			
Q2.1.5 Stakeholder involvement	N/A				Only customs involved in this work so far.					Yes	Yes, all stakeholders are involved.				Only few, especially from the internal stakeholders are involved due to lack of information. External involvement is limited to those who were interviewed during the walk through and data collection			Some stakeholders of private sectors were reluctant to participate and provide information	Lack of good cooperation from stakeholders		Port authorities did not involve --> lack of the time of unloading
Q2.1.6 Develop the questionnaire/table to collect data	N/A				No					Improvise from previous format to specifically measure each elements and transit times especially on Customs functions	N/A. We are now mapping the operation processes of each phase of the customs clearance in each chosen Customs (arrival, warehouse, transport, release of goods).				Due to lack of trained personnel to carry out TRS, this activity is always done with a Consultant or Short Term Expert			N/A	It is difficult to simplify the questionnaire because the environment of each checkpoint is difference and the data collection is mixed (manual and		
Q2.1.7 Data collection	Integration caused some difficulty in obtaining the relevant data for the 2014 TRS.				No					7 days from initial starting dates (7-14 days)	N/A				It takes time because the system is partly automated and partly manual and there are no personnel permanently assigned to the task, hence, it is more of additional work for them.			Data incompleteness issues	The officers are inexperienced in data collection		Most of OGAs are implementing their procedures manually, leading to data recorded manually --> lack of OGAs data, lengthening the time for aggregating data
Q2.1.8 Data quality/ verification	N/A				No					Some questionnaires are not adequately filled e.g. omissions, wrong inputs	N/A				Since TRS is an additional job of those who are assigned to do the TRS, the amount of time allotted to carry out all the activities is not sufficient			Incorrect data input; inconsistent data formats			OGA's data was incorrect and inaccurate
Q2.1.9 Data analysis	N/A				No					SPSS	N/A				Since most of the members of the TRS Working Group are always new, data analysis is being carried out with the assistance of the Expert/Consultant			N/A			
Q2.1.10 Draft conclusion and recommendations	N/A				No					Customs is not an impedance to faster cargo clearance. Other supply chain players need to play their parts. Customs Brokers and logistics players need to be more proactive in doing their job. Bottlenecks were discovered and recommendations were made to the Customs Department and all other parties concerned.	N/A				It is always done with an Expert/Consultant			N/A			

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	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.1.11 Results dissemination	N/A				Not yet released to the public, only share the results with related departments of China Customs.					Exit Conference was held after completing the survey. Participants (180) are from Customs, Permit Issuing Authority (PIAs), Other Government Agencies (OGAs), Business Communities, Universities, Research Organizations, Customs Brokers and logistics players attended the Exit Conference. Financially-sponsored by Asian Development Bank (ADB) and co-supported by ROCB.					Dissemination is confined to the top management			N/A		Not yet on this phase	
Q2.1.12 Improvement along with the recommended practices	N/A				No					More outreach program to officers doing the survey and cooperation from the supply chain players especially Customs Brokers.					The recommended practices based on the results of the TRS are sometimes not considered or adopted or implementation took time or at in some instances, aborted due to frequent change in the leadership			N/A		Not yet on this phase	

Q2.2 *Please √ whether your TRS Steering Group is composed of*

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.2.1 Customs	√				√				√		√							√	√		√
Q2.2.2 OGAs and/or port authority									√												√
Q2.2.3 Private sector	√				√				√						√		√	√	√		√

Q2.3 *Please √ whether your TRS covers*

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.3.1 Main airports	√				√			√	√	√	√				√			√	√		√
Q2.3.2 Main sea ports	√				√			√	√	√	√				√				√		√
Q2.3.3 Main land-border posts					√				√	√									√		√
Q2.3.4 Main inland clearing depots/ dry ports	√				√				√									√			
Q2.3.5 Postal shipments	√				√				√												
Q2.3.6 Express shipments	√				√			√	√		√										
Q2.3.7 Any other notable ones (please describe)															Multi-dimensional analyses, on arrival of goods on weekdays, import country, HS codes, Customs notification on incorrect messages, types of goods and preferential treatments, are provided for identifying the bottlenecks, so as to explore ways of streamlining Customs clearance processes.						

Q2.4 *Please √ whether your TRS covers the time of*

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.4.1 Pre-arrival cargo reporting/ declaration	Mentions impending arrival, but not specific with timeframe				√					√	√							√			√
Q2.4.2 Arrival or other means of transport vessels	√				√			√		√					√				√		√
Q2.4.3 Payment of duty/ confirmation of credit	√				√					√					√			√	√		√
Q2.4.4 Clearance	√				√			√	√	√	√				√			√	√		√
Q2.4.5 Release permission	√				√			√		√	√				√			√	√		√
Q2.4.6 Gate-out	√							√		√	√				√			√	√		√
Q2.4.7 Unloading/loading	√				√					√	√				√			√			√
Q2.4.8 Customs Declaration	√				√			√	√	√	√				√			√	√		√
Q2.4.9 Document Checking	√				√			√	√	√	√				√			√	√		√
Q2.4.10 Physical checking	√				√			√	√	√	√				√			√	√		√
Q2.4.11 Examination of OGAs (if any)	√				√			√		√	√				√			√	√		√

Q2.5 *Please √ whether your data collection is*

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.5.1 Manual	√								√	√	√							√			√
Q2.5.2 Automatic/system time stamp					√										√				√		
Q2.5.3 Mixed (manual and automatic)								√			√								√		√

Q2.6 *Please √ whether your data collection period is*

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.6.1 Fixed (1-2 weeks)	√										√							√	√	√	√
Q2.6.2 Fixed (longer) if please specify the period					1 month																√
Q2.6.3 Open or 24/7, system time stamp								√	√	√					√			√			

Q2.7 *Please √ whether your TRS is distinguishable of following cases*

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.7.1 FCL, LCL, bulk	√				√													√			√
Q2.7.2 Subject to OGA (out of Customs) import process or not	√									√								√			
Q2.7.3 Control channel (e.g. Green, Yellow, Red)															√			√	√		√
Q2.7.4 Threshold amount for different treatment																		√	√		
Q2.7.5 AEO importers/AEO Customs brokers										√								√			
Q2.7.6 Goods from foreign AEO exporters under AEO Mutual Recognition								√		√											
Q2.7.7 Use Customs brokers or not	√									√	√				√						

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.7.8 Any other notable ones (please describe)																					Means of transport
										Pre-Clearance, Dutiable and non- dutiable, LMW, Treasury Exemption, Sales Tax, Cargo types and selected country of export, Payment modes, and Inspection of goods											

Q2.8 Please √ whether your data analysis applies

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.8.1 No statistical processing except simple average					√			√	√	N/A					√				√		√
Q2.8.2 Basic statistical processing (e.g., standard deviation)	√									√								√			
Q2.8.3 Advance statistical processing (e.g., co efficiency, prediction)																					√

Q2.9 Please √/describe whether your analysis includes

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.9.1 Static information	√				√			√		√	N/A				√			√	√		√
Q2.9.2 Dynamic information (e.g., how the number of outstanding containers are processed day-by-day)									√												

Q2.10 Please √ whether your TRS results are publicly available

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.10.1 No											N/A				√						
Q2.10.2 Yes																			√		
Q2.10.3 Yes, but only aggregate ones					√			√	√	√								√			√

Q2.11 Please √ whether your TRS conclusion and recommendations cover

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q2.11.1 Customs procedure/ administrative arrangement (e.g., Pre-arrival processing, extended opening hours)	√ general relationship of early reporting/ receiving documentation and payments to clearance of goods				√			√	√	√	N/A				√			√	√		√
Q2.11.2 OGA procedure/ their interface and interaction (e.g., PAP, Single Window, joint inspection)	√ general relationship of early reporting/ receiving documentation and payments to clearance of goods							√	√	√								√			√
Q2.11.3 Private sector performance (e.g., acceleration in payment, submission of requested information, transfer of the goods, verification, arrangement)	√ general relationship of early reporting/ receiving documentation and payments to clearance of goods									√									√		
Q2.11.4 Infrastructure design, physical movement, logistic facility/ equipment (see Note below)										√									√		

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Q2.12 Please describe if you receive Technical Assistance and/or Support from development partners in conducting the TRS.

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
	Areas within the Department of Immigration and Border Protection contribute to the content in the TRS.				No			No	No	NO on the research, but the ADB finance the budget for the TRS Exit Conference	N/A				We received technical support from JICA and EU-TRTA in all the TRS conducted			No	There was no Technical Assistance and/or Support from development partners in conducting the previous TRS, but The Asian Development Bank (ADB) supported the TRS publication in 2012 and 2014		In TRS 2013, Vietnam customs was supported by ADB for the TRS Conference and establishing the plan to conduct TRS 2013

Q2.13 If No to Q1, what are the difficulties you face in conducting TRS?

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN

Q2.14 Please provide your current result on TRS?

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
N/A	We are currently developing the first measurement based on general outlines contained in the WCO Methodological Guide.					Hong Kong, China (HKC) is a tariff-free port adopting simple and facilitative Customs procedures. Hong Kong Customs (HK Customs) generally applies the principle of immediate release to consignments with required cargo information and valid licences / permits, where necessary. Only a negligible amount of cargo is detained for Customs clearance, and the processing time by HK Customs is still relatively short as we have set a standard for the release of the detained goods in the performance pledges, which are reviewed regularly to dovetail with the industry's needs. In view of the efficient and facilitative Customs clearance in HKC, we do not see a				There are no special difficulties to conduct TRS	N/A							The outcomes of TRS are fruitful. By the implementation of TRS, we have several findings as follows: a. The AEO's enjoy the benefit of trade facilitation measures. The clearance time for AEOs is approximately 3 times faster than non-AEOs. b. The Customs facilitation measures are considered to be effective. As compared with 2011, the average clearance time of 2014 is shortened by 25% in air cargoes and 11% in sea cargoes. c. The efficiency of licensing agencies to review and issue licenses is identified as bottleneck for cross-border trade. d. A TRS on-line system has been implemented and opened for public use in January 2017. Since then, collection of TRS analysis data can			

Q3 Please √ whether your Customs administration and stakeholders have introduced any measures taking into account the conclusion and recommendations of the TRS for further improvement

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
Q3.1 Yes	√							√	√	√					√			√	√		√
Q3.2 No											N/A										

Q4 If Yes to Q3, please describe what kind of actions your Customs administration and/or stakeholders have taken.

	AU	BN	CA	CL	CN	HK	ID	JP	KR	MY	MX	NZ	PG	PE	PH	RU	SG	CT	TH	US	VN
	The responses for Q4 indicated if the 2014 TRS provided data on the specific sections. No actions were taken, other than to provide commentary as to the results.				Help identify the bottlenecks in customs procedure and enhance the clearance efficiency accordingly.					1. The introduction of a one-stop center for inspection at the ports. 2. Optimize on-line processes and reduces human-intervention practices. 3. Electronic Payment advocated. 4. Amendment to the Customs Act where shippers shall delivered Import Manifest 24 hours before ships arrival as compare to 24 hours after arrival. 5. Formation of a dedicated TRS team to enhance TRS implementation.	N/A				The management use the results of the TRS to reduce the time of cargo clearance processing to 4hrs			Conducting coordinated border management initiatives to work closely with licensing agencies	- Do more public hearing and Encourage more importers to be AEO - A strategy is needed to incorporate all OGA's into the National Single Window (NSW) - Encourage stakeholders to use E-payment to pay import duty		1. Recommend OGAs implement a automated systems to conduct their procedures; 2. Boosting NSW to strengthening the coordination between customs and OGAs and reduce the taken time for import/export procedures; 3. Coordinating with OGAs to review OGAs and customs regulations concerning inspection procedures, list of imports and exports under in HS code. 4. Enhancing the implementation of e-payment, e-manifest

Note	
AU	Australia
BN	Brunei Darussalam
CA	Canada

CL	Chile
CN	People's Republic of China
HK	Hong Kong, China
ID	Indonesia
JP	Japan
KR	Republic of Korea
MY	Malaysia
MX	Mexico
NZ	New Zealand
PG	Papua New Guinea
PE	Peru
PH	The Philippines
RU	Russia
SG	Singapore
CT	Chinese Taipei
TH	Thailand
US	The United States
VN	Viet Nam

SUMMARY OF FINDINGS

THE TIME RELEASE SURVEY QUESTIONNAIRE

Ho Chi Minh, August 2017

CONTENT

- Background

- Summary of findings

- Recommendation

BACKGROUND

▸ In 2016 SCCP2, "Viet Nam proposed to conduct a survey on Time Release Study (TRS) implementation and proposing recommendations", and this action has cosponsored by Korea.

▸ The Time Release Survey CAP 2016 aims to "identify the status of all member economies in order to develop the targeted capacity building program".

▸ The questionnaire on TRS was developed based on 2014 APEC Supply Chain Chokepoint Diagnostics; the draft questionnaire presented at 2017 SCCP1.

FINDINGS
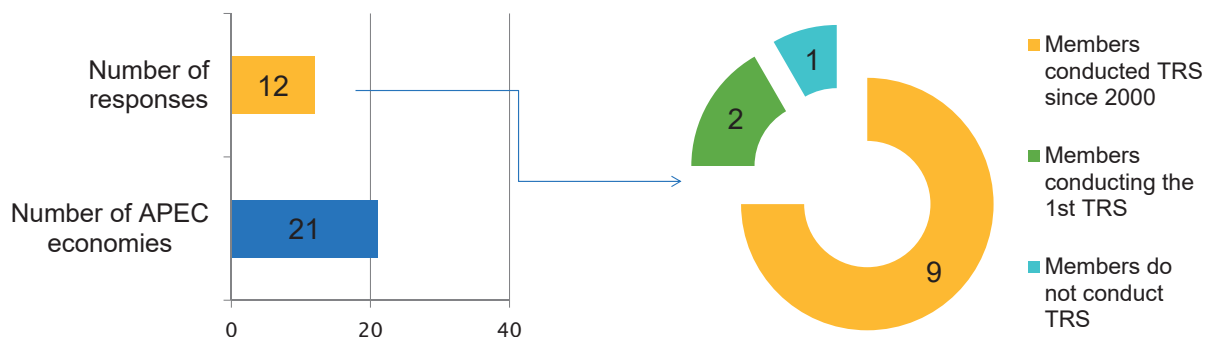
FINDINGS

Challenges in each step of TRS
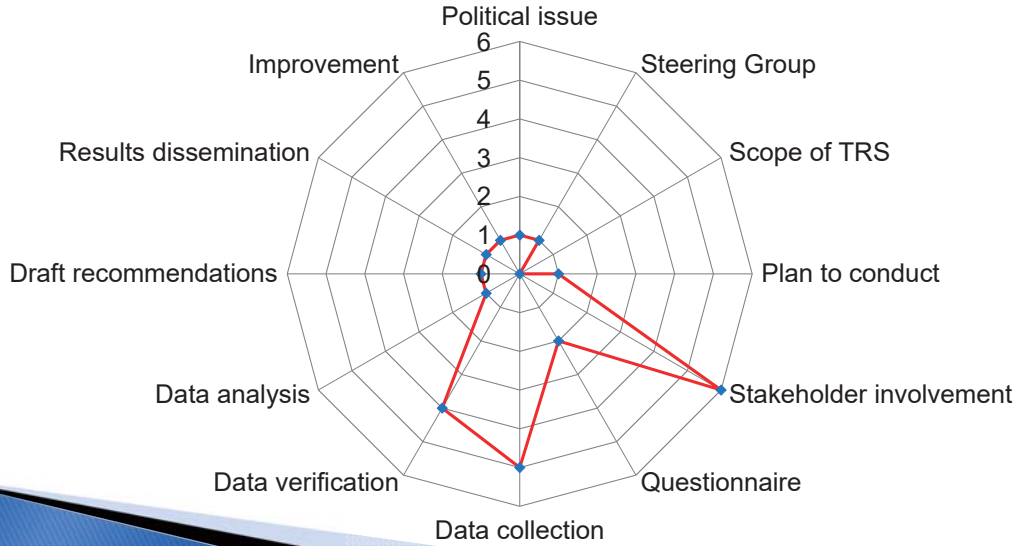
FINDINGS

TRS Steering Group

- Only Customs
- Customs and OGAs and/or port authority
- Customs, OGAs and Private sector

FINDINGS

Method of data collection

| 1 | 5 | 4 |

- Manual
- Automatic/system time stamp
- Mixed (manual and automatic)

???

Data analysis

Simple average
6

0

Advance statistical processing

Basic statistical processing

3

FINDINGS

Results dissemination

1

4

4

- No
- Yes
- Yes, but only aggregate ones

Recommendations

Customs procedure
8

Infrastructure, logistic facility

2

OGA procedure

6

3

Private sector performance

RECOMMENDATION

‣ Good practices would be shared for boosting capacity building further

‣ Strongly proposes to ask more inputs from those economies who have not submitted within 01 month after the SCCP2 2017 in Vietnam

‣ The interim report will be accepted to be transferred to the CTI as attachment to the SCCP rapporteur' report

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Asia-Pacific
Economic Cooperation

APEC
VIET NAM
2017

THANK YOU !!!

Vietnam Customs

Stocktaking of
APEC Customs on
IPR Border Enforcement

HONG KONG CUSTOMS

SCCP2, Ho Chi Minh City, Viet Nam
August 20, 2017

Contents

Milestones Reached

Main Findings

Way Forward

Observations

Milestones Reached

Year	Milestone
2011	IPR Guidelines developed
2012	CAP & IPR Check Sheet introduced
2011→2016	IPR Operations launched
2014	IPR Workshop conducted
2015 & 2017	IPR Check Sheet updated
2017	IPR Practices developed
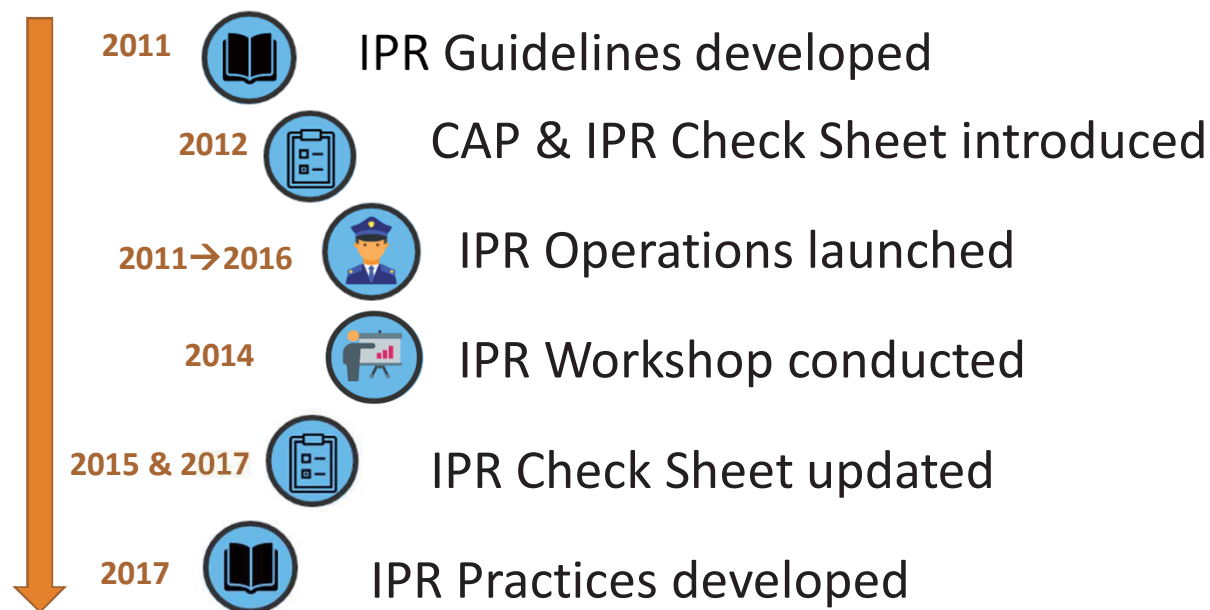
Positive Feedback

Focus Area	No. of Questions
1. Strengthen border enforcement	15
2. Improve procedural effectiveness	7
3. Strengthen capacity	8
4. Cooperate with other organizations	5
5. Ensure transparency and raise public awareness	4
6. Combat counterfeiting in cross-border e-commerce	3
Total no. of questions:	42

18/21 economies responded ➡ **85%** 👍

Main Findings

(1) Strengthen border enforcement

Customs is responsible for IPR border enforcement — Yes 20, No 1

Specialized unit in Customs handling internet piracy — Yes 2, No 19

Officers receive training on detecting internet crimes — Yes 4, No 17
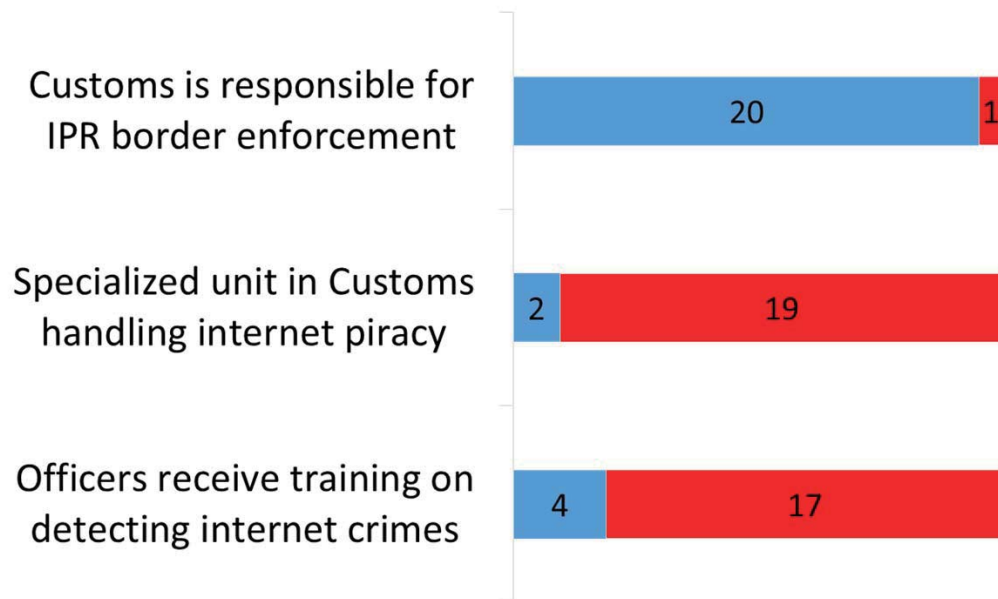
Legend: Yes ■ No ■ No Answer ■

Main Findings

(1) Strengthen border enforcement

Rights subject to IPR border enforcement

Trademark — Yes 21

Copyright — Yes 21

Design right — Yes 7, No 14

Patent — Yes 10, No 11
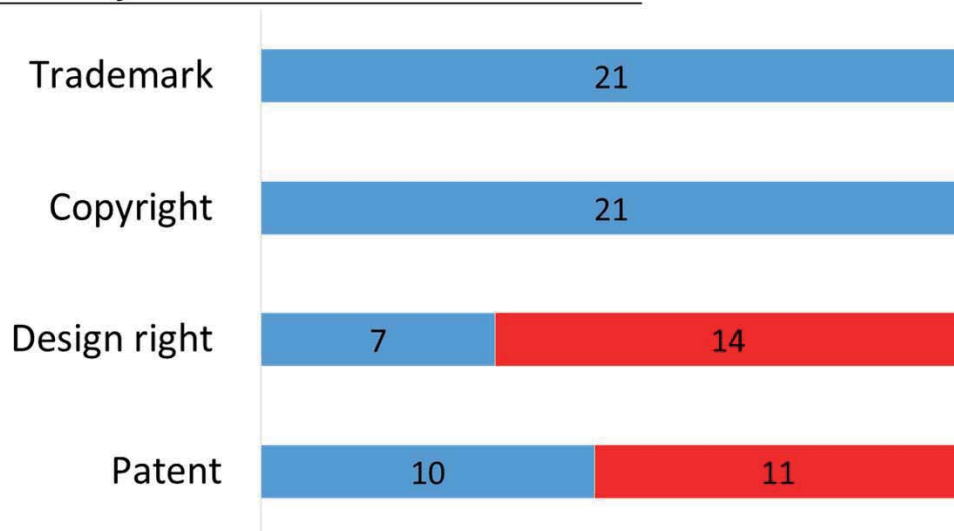
Legend: Yes ■ No ■ No Answer ■

Main Findings

(1) Strengthen border enforcement

Goods subject to IPR border enforcement

Category	Yes	No	No Answer
Export goods	17	4	
Transit goods	9	12	
Transhipment goods	12	9	
Goods within Free Trade Zones	11	1	9
Goods in small consignments	15	2	4

Legend: ■ Yes ■ No ■ No Answer

Main Findings

(2) Improve procedural effectiveness

Application

Category	Yes	No	No Answer
Measures for right holders	19	2	
Other types of regimes/customs procedures	18	3	

Infringement determination

Category	Yes	No	No Answer
Detailed information provided	18	1	2
Inspection allowed	16	2	3
Customs procedures provided	21		
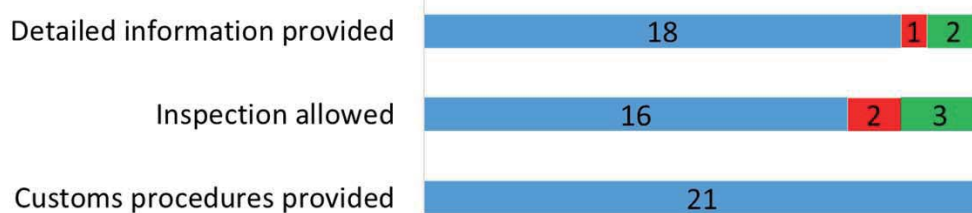
Legend: ■ Yes ■ No ■ No Answer

Main Findings

(3) Strengthen capacity

Organizational structure and cooperation

	Yes	No
Centralized Intellectual Property Unit	18	3
Provide training to officers	19	2
Cooperate with IP right holders	21	
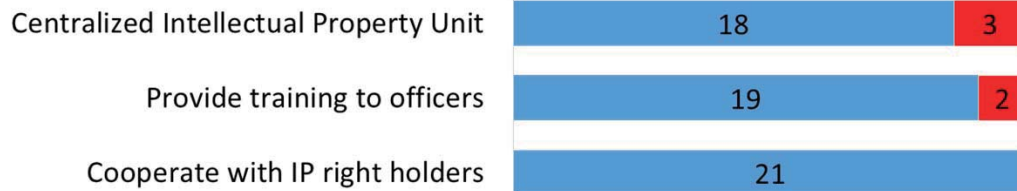
Using advanced technologies

	Yes	No
Statistics on suspended goods	17	4
Database on registered IP right holders	19	2
Database on infringement cases	16	5

■ Yes ■ No ■ No Answer

Main Findings

(4) Cooperate with other organizations

	Yes	No	No Answer
Among APEC Customs	16	5	
With domestic organizations	19	2	
With international organizations	16	1	4
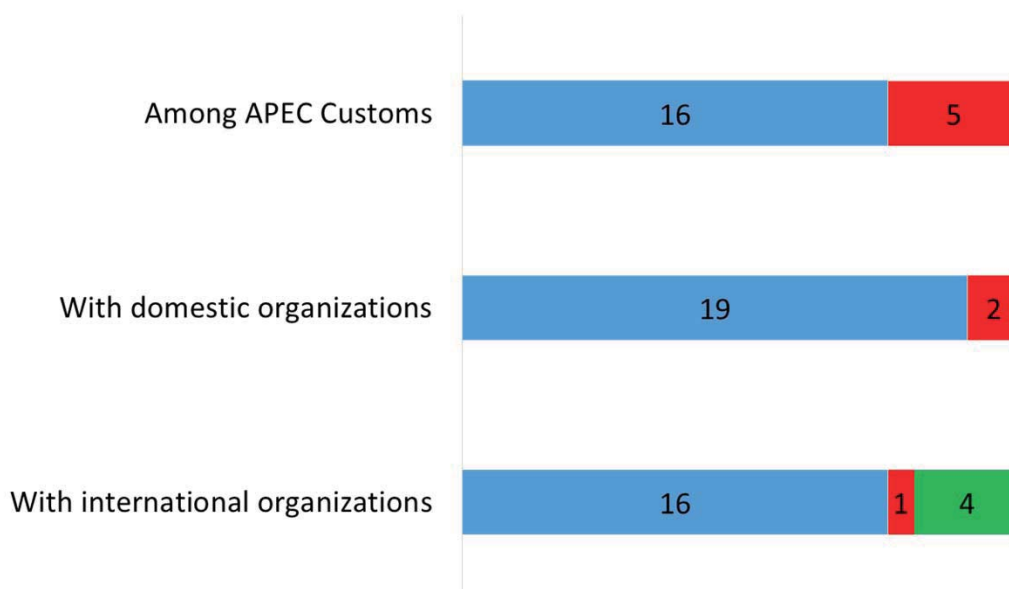
■ Yes ■ No ■ No Answer

Main Findings

(5) Ensure transparency and raise public awareness

System to notify importers of information on suspended goods	19 / 2
System to notify right holders of information on suspended goods	18 / 3
Customs' efforts to raise public awareness	17 / 4
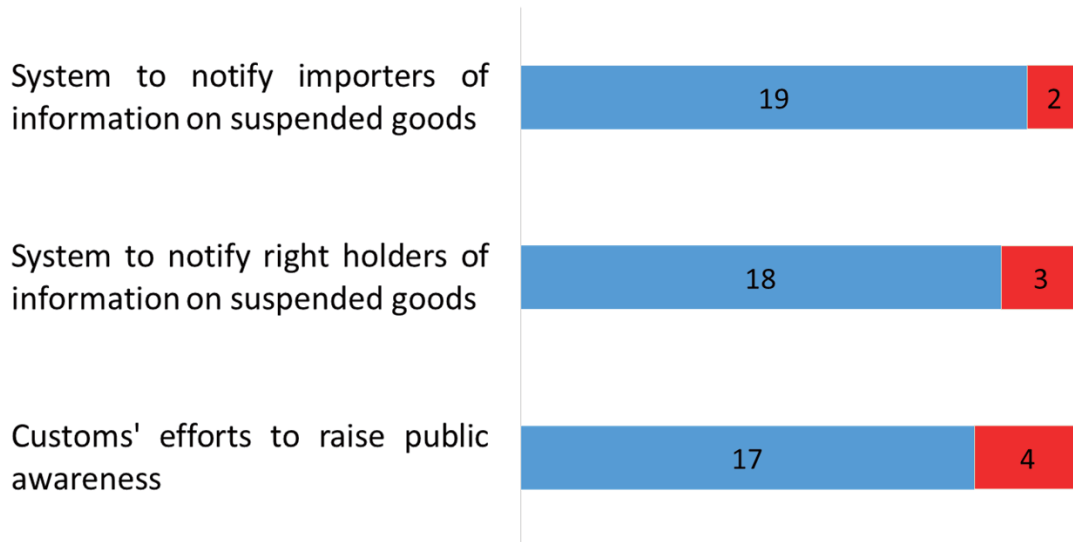
Legend: ■ Yes ■ No ■ No Answer

Main Findings

(6) Combat counterfeiting in cross-border e-commerce

Additional/specific measures on cross-border e-commerce	5 / 10 / 6
Additional/specific legal framework	15 / 6
Cooperate with online vendors/e-commerce service providers	5 / 10 / 6
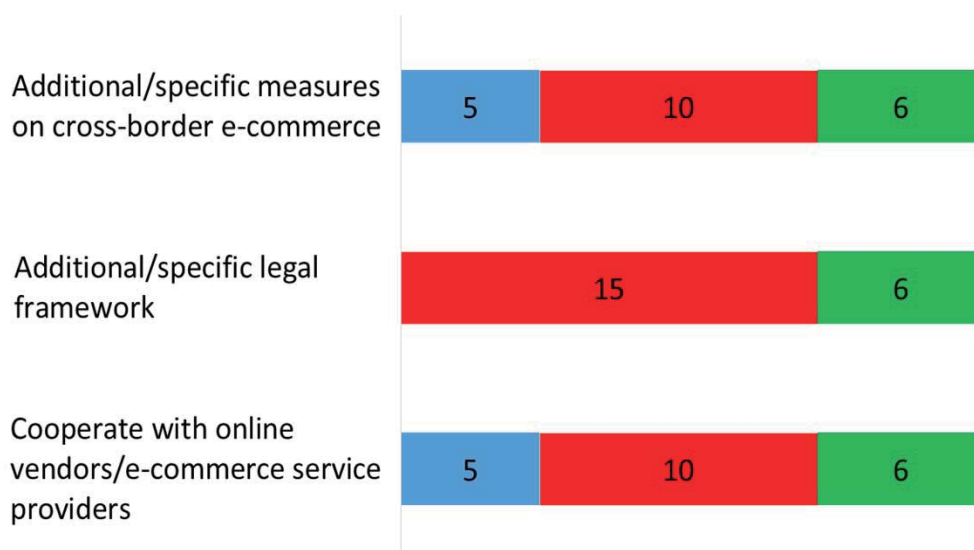
Legend: ■ Yes ■ No ■ No Answer

Observations

Strengthened capabilities of member economies in effective IPR border enforcement

Burgeoning challenges arising from booming global e-commerce

CHALLENGE

Way Forward

Update

Continue to update the IPR Border Enforcement Check Sheet every 2-3 years

Review the questions in the Check Sheet before the next round of stocktaking exercise

Focus Areas	2012	2015	2017
1. Strengthen border enforcement	163	181	199 ⬆
2. Improve procedural effectiveness	68	78	113 ⬆
3. Strengthen capacity	125	137	141 ⬆
4. Cooperate with other organizations	69	78	86 ⬆
5. Ensure transparency and raise public awareness	52	58	62 ⬆
6. Combat counterfeiting in cross-border e-commerce	-	8	10 ⬆
Total no. of positive response:	477	540	**611** ⬆

611 / 882 Checkboxes ➡ **70%** 👏

P.13

P. 16
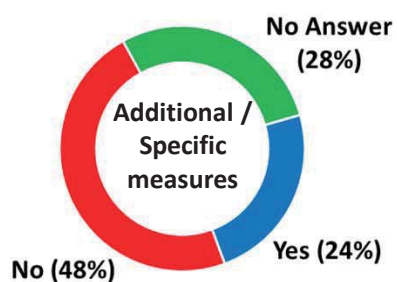
- ➤ 5 economies
  - Special operations
  - Designated unit
  - Advanced technology
  - Training
  - Cooperation
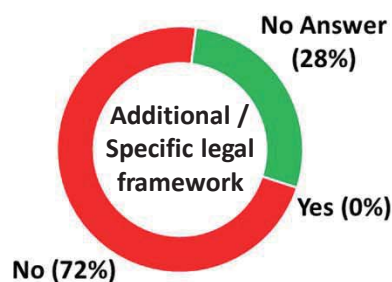
- ➤ None
  - To subsist in existing legal framework

- ➤ 5 economies
  - Cooperation with online marketplaces
  - Signing MOU

1/3 member economies did not respond

P.14

P. 17

SCCP: 2017 Work Program

APEC Priority	Subject	Objective	Action	Status
Trade Facilitation	*Supply Chain Connectivity*	To contribute to the development and implementation of the Supply Chain Framework Action Plan Phase 2 (SCFAP II). Including the understanding of challenges, development of targets, identifying methodology and indicators and developing concrete action plans to the following SCFAP II chokepoints: *Chokepoint 1*: Lack of coordinated border management and underdeveloped border clearance and procedures *Chokepoint 3*: Unreliable logistics services and high logistical costs *Chokepoint 4*: Limited regulatory cooperation and best practices *Chokepoint 5*: Underdeveloped policy and regulatory infrastructure for e-commerce To contribute to the implementation of the Boracay Action Agenda to Globalize MSMEs (BAA), particularly on: Priority Action 1: Facilitate the access of MSMEs to FTAs/RTAs by simplifying and streamlining rules of origin (ROO) procedural and documentary requirements and harnessing IT to ease documentation and procedures	To discuss and identify specific actions to improve the chokepoints relevant to Customs specified by the SCFAP II.	To begin: CTI will inform the Supply Chain Framework Action Plan (SCFAP) in the Phase of 2017-2020. The SCCP will continue to support SOM and CTI implementing SCFAP Phase II, with particular focus on developing initiatives that address chokepoints The SCCP will contribute to the systematic approach to addressing the SCFAP II chokepoints relevant to Customs, as contained in SCFAP Phase 1. Chile will continue working on and update the implementation of the APEC Customs Transit Guidelines. Peru will present the progress of the Workshop to identify factors affecting clearance in import and export processes made by MSMEs. PSU will present the outcomes of the PSU study on the Application of Global Data Standards (GDS) for APEC Supply Chain Connectivity
		Priority Action 2: Streamline customs-related rules and regulations and assist in the compliance of MSMEs Priority Action 3: Provide timely and accurate information on export and import procedures and requirements.		
	Trade Facilitation Agreement	To enhance Customs-to -Customs Cooperation between APEC economies**.** To promote effective coordination and cooperation amongst involved stakeholders and between the public and private sector in the implementation of the WTO TFA in the Asia Pacific region.	To identify the legal instruments between the APEC economies for developing efficient exchange of information between Customs administrations. To discuss / promote / and enhance customs public -private coordination in Implementation of the WTO TFA. To strengthen the connection among APEC Customs Administrations in the Implementation of the WTO TFA.	To begin: Russia and Chile will work intersessionally to prepare a survey of the international legal instruments, which will ensure the effective interaction between Customs Administrations of APEC economies. The SCCP organized a Workshop on Enhancement of Stakeholder Engagement in the Implementation of the WTO TFA. After the Workshop, SCCP will continue updating information about TFA implementation.

APEC Priority	Subject	Objective	Action	Status
Trade Facilitation Secure trade	*Authorized Economic Operator*	To assist in establishing an AEO program in consistent with WCO SAFE Framework of Standards by each APEC economy; To encourage economies that have yet to develop AEO programs through capacity building and sharing of best practices; To implement BAA Priority Action 4: Widen the base of Authorized Economic Operators (AEO) and trusted trader programs (TTP) to include SMEs in order for them to contribute to security, integrity and resiliency in supply chains. To encourage and promote signing Mutual Recognition Arrangement (MRA) between the interested economies.	To implement the AEO action plan including the development of the AEO Best practices and an AEO Capacity Building Plan.	Ongoing: SCCP will continue to promote AEO as best practice and work intersessionally in 2017 through evaluation, assessment, and information sharing. The Philippines will finalize a draft proposal on the Workshop and In-Economy Capacity Building Initiatives on AEO Programs. Korea will present an update on a draft proposal on of the APEC Regional AEO Program Initiative.
	Cross-border E-commerce	To strengthen risk control and "Compliance and Facilitation" clearance for better customs control of Cross-border E-commerce *Refer to Supply Chain Connectivity	To share experience and the practices of Customs control on Cross-border Ecommerce; through the capacity building workshop.	Ongoing: APEC economies will share information on the progress in the implementation of their cross-border e-commerce; To discuss and figure out the methods for controlling cross-border e- commerce in ACBD 2017.
	Partnership with Business Community	To enhance cooperation between the public and private sector Customs stakeholders in order to jointly develop and progress SCCP Priorities.	To promote and enhance customs public - private coordination in developing and progressing SCCP priorities.	Ongoing: SCCP will continue to discuss priorities and work on information sharing when necessary to collaborate on mutual goals as it relates to trade facilitation, supply chain connectivity, and secure trade, in coordination with the APEC Alliance for Supply Chain Connectivity (A2C2).
	IT Information Technology and Risk Management	To exchange information on IT application to Customs clearance procedures and other Customs related trade facilitation areas.	To share information and experience on new technologies and equipment applied for Customs procedures to facilitate trade.	Ongoing: SCCP will continue to exchange experience and information on new technologies applied in Customs control to facilitate trade.

APEC Priority	Subject	Objective	Action	Status
Secure Trade	Intellectual Property Rights	To strengthen intellectual property rights (IPR) border enforcement in the APEC region and promote greater collaboration between Customs and right holders.	To share experience of C2C cooperation on information exchange about suspension of counterfeited and pirated goods, and enhance cooperation between Customs and right holders.	Ongoing: SCCP will continue to exchange experiences and information on IPR border enforcement under new CAP. Hong Kong, China will present the findings of the updated IPR Check Sheet on IPR border enforcement. The United States will pursue the next activities for APEC on IPR border enforcement, to include the development of an APEC IPR guidelines document and/or workshops in 2017/2018.
	Trade Recovery	To build the communication network to facilitate the resumption of the legitimate international flow of goods based on the WCO TRP.	To develop a list of contact points among APEC Customs administrations and develop tools for information exchange among APEC Customs administrations to facilitate trade recovery activities.	Ongoing: Work will continue intersessionally with interested economies as well as continued work to generally enhance emergency preparedness.

APEC Priority	Subject	Objective	Action	Status
Collective Action Plan	Collective Action Plan	To achieve remaining CAP items by 2020 and continue to develop appropriate measures including the creation of new CAP items to tackle rapidly changing environment surrounding customs	To develop and endorse the scope and timeline for all CAP items.	**Ongoing:** CAP Coordinators/ Lead economies will review updates regarding the SCCP Collective Action Plan.

| Cross-Fora Collaboration | Cross-Fora Collaboration | To enhance coordination between and among APEC bodies in the implementation high level and cross-cutting APEC actions. | To develop practical ways in which border agencies can enhance coordination at the border. Coordinate with the BMG, CTWG, ECSG, and other relevant fora to assist in further developing APEC's Counterterrorism, Travel Facilitation, and Secure Trade agendas.

To coordinate and implement Leaders' and Ministers' instructions, in coordination with other APEC bodies | **Ongoing:**

Japan will update the progress of Travel Facilitation Initiative (TFI).

APEC Secretariat in coordination with the Philippines will update the 2017 stock-take on SCCP's implementation of the Boracay Action Agenda to Globalize MSMEs.

The United States will update on the ongoing work related to the APEC Chemical Dialogue Customs proposal.

The United States will provide the outcomes on Workshop on Customs Best Practices to identify Illegal Timber and Wood Products. |

Acronyms

ABAC	APEC Business Advisory Council	C2C	Customs to Customs	SOM	Senior Officials' Meeting
ACBD	APEC Customs-Business Dialogue	CTTF	Counterterrorism Task Force	SW	Single Window
AELM	APEC Economic Leaders Meeting	IPR	Intellectual Property Rights	TFAP	Trade Facilitation Action Plan
AEO	Authorized Economic Operator	IT	Information Technology	TRP	Trade Recovery Program
AMM	APEC Ministers Meeting	KPI	Key Performance Indicator	TRS	Time Release Survey
APEC	Asia-Pacific Economic Cooperation	MRT	Ministers Responsible for Trade	WCO	World Customs Organization
BMG	Business Mobility Group	SCCP	Sub-Committee on Customs Procedures	WTO	World Trade Organization
CAP	Collective Action Plan	SCF	Supply Chain Framework		

APEC SUB-COMMITTEE ON CUSTOMS PROCEDURES (SCCP)
19-21 August, 2017
Ho Chi Minh City, Viet Nam

SUMMARY REPORT
OF THE 2017 SECOND MEETING OF SCCP

INTRODUCTION

1. The APEC Sub-Committee on Customs Procedures (SCCP) held its second Meeting for 2017 on 19-21 August, 2017 in Ho Chi Minh City, Viet Nam.

2. Delegates from Australia; Brunei Darussalam; People's Republic of China; Chile; Hong Kong, China; Indonesia; Japan; Republic of Korea; Malaysia; New Zealand; Papua New Guinea; Peru; the Philippines; Russian Federation; Singapore; Chinese Taipei; Thailand; United States of America; and Viet Nam attended the Meeting.

3. The Meeting was also attended by the CTI Chair, the Chair of CTI FotC of Trade Facilitation, the Program Director and a representative from Policy Support Unit from the APEC Secretariat. A representative from the World Customs Organization (WCO) participated as an observer.

4. The Deputy Director-General of the General Department of Viet Nam Customs, Dr. Vu Ngoc Anh, chaired the SCCP Meeting.

OPENING

5. The SCCP Chair welcomed all Member Economies, observers and invited guests again to Viet Nam, expressing the sincere thanks for the support and contribution of Member Economies to the success of the first SCCP Meeting and highlighting the importance of continuing to perform ongoing SCCP activities by sharing experiences and providing mutual assistance, and officially opened the meeting.

AGENDA ITEM 1: ADOPTION OF THE AGENDA

6. The SCCP Chair presented the Draft Annotated Agenda and invited comments and suggestions from Member Economies. The Agenda was approved by all Delegates from APEC Member Economies (2017/SOM3/SCCP/001).

AGENDA ITEM 2: BUSINESS ARRANGEMENTS

7. Viet Nam briefed on the program and administrative arrangements, including side-events, for the second SCCP meeting.

AGENDA ITEM 3: SCCP1 2017 OUTCOMES

8. The SCCP Chair provided the outcomes of the SCCP1 meeting held in February 2017 and highlighted the importance of SCCP1's contribution to the CTI. The SCCP Chair also pointed out the results of important issues of SCCP including the implementation of the WTO Agreement on Trade Facilitation, Supply Chain Connectivity Framework, Single Window, Authorized Economic Operators, Information Technology and Risk Management, IPR, Cross-border E-commerce, Collective Action Plan, and Collaboration with APEC Committees, Sub-Fora and Working Groups (2017/SOM3/SCCP/002).

9. The APEC Secretariat updated projects including budget and funding criteria for APEC projects. The update included dates, deadlines, process guidelines, application advice and approval statistics of APEC-funded projects. The APEC Secretariat also announced the establishment of new sub funds and outlined upcoming changes in the approval process, including scoring procedure, the removal of the application of the APEC Funding Criteria and the encouragement of better utilisation of APEC sub-fund sources (2017/SOM3/SCCP/003).

    Japan made remarks that "TILF" is the fund aimed to contribute to trade and investment liberalization and facilitation, and since SCCP is an active sub-committee working on trade facilitation, its activities meet the objectives of this fund and advised member economies to make maximum use of TILF for the promotion of trade facilitation among APEC economies.

AGENDA ITEM 4: THE SOM2 AND CTI DEVELOPMENTS

10. The CTI Chair reported on the outcomes of SOM2 and underscored SCCP's collaboration with CTI.The CTI Chair highlighted the importance of keeping the momentum of the Free Trade Area of the Asia-Pacific (FTAAP), advancing digital trade and e-commerce and continuing the work of the APEC Services Competitiveness Roadmap (ASCR). The FTAAP has a multi-year work program of initiatives, known as the Lima Declaration Action Plan. The ASCR has 14 APEC-wide actions, which is being tracked by a progress matrix. The Supply Chain Framework Action Plan (SCFAP) Phase II includes a 2017 Workplan on Trade Facilitation. An APEC Roadmap on the Internet and Digital Economy is in development. APEC governance reform is continuing, including sub-fora quorums, sunset clauses and Friends of the Chair (FotC) establishment guidelines. Stakeholders are also engaging in dialogue beyond APEC 2020. There is a proposal to review and update existing TILF pathfinders. Particularly on the FTAAP, the SCCP has the opportunity to provide meaningful inputs on tariffs, NTMs, self-certified rules of origin (ROO), De Minimis Value, and next generation trade and investment (NGeTI) (transparency). The CTI Chair called on the SCCP to continue its support to achieving CTI objectives (2017/SOM3/SCCP/004).

11. Singapore, in their capacity as the FotC of the CTI, stated that they, in conjunction with the United States, are champions of the SCFAP and are looking for volunteers to lead on chokepoint 2 (Inadequate quality and lack of access to transportation, infrastructure and services), chokepoint 3 (Unreliable logistics services and high logistical costs) and chokepoint 4 (Limited regulatory cooperation and best practices).

    Japan explained its current FTAAP situation. Japan Customs is working on this issue in collaboration with the Ministry of Foreign Affairs, Ministry of Trade and other related agencies especially in the fields of tariff and rules of origin.

12. The SCCP Chair reported on discussions on the FTAAP Lima Declaration Action Plan, which outlines the next steps towards the eventual FTAAP, with ROO as the key subject related to the works of SCCP. Capacity building and information sharing was suggested as the focus to complete ROO's defined objectives (2017/SOM3/SCCP/005). The CTI Chair also noted the issues of ROO, including certificates, verification and simplification.

    Singapore is holding a public-private dialogue on ROO at the CTI during SOM3 and encouraged SCCP members to participate in the event.

    The Philippines informed that it will join the APEC Pathfinder on Baseline *De Minimis* Value as its threshold value had increased to $US 200 in 2016.

AGENDA ITEM 5: IMPLEMENTATION OF THE WTO AGREEMENT ON TRADE FACILITATION

13. WCO presented updates on the WCO Mercator Programme and the WTO-TFA implementation (2017/SOM3/SCCP/029). The WCO stated their three main areas of responsibility in the implementation of the WTO-TFA, which are standard setting, cooperation and capacity building. The WCO has the advantage of an established network of accredited experts in various fields from Customs Administrations and ongoing cooperation with other international organisations. The WCO also clarified that the assistance offered through the Mercator Programme is for all members, not just those who have ratified the WTO-TFA. The WCO adopted the Mercator Programme in June 2014 to ensure uniform implementation of the WTO-TFA, using WCO instruments and tools, which can be found on WCO's website. Key objectives of the Mercator Programme include tailor-made technical assistance and capacity building and harmonised implementation based on WCO's international standards.

    Japan expressed its sincere appreciation for the efforts extended by the WCO. Japan informed it has many WCO accredited experts in this area and strongly supports WCO's capacity building activities for the early implementation and notification of member economies that have not ratified the WTO-TFA.

Viet Nam agreed on the importance of the WCO's Mercator Program and the tools and instruments developed by the organization aimed at supporting member economies to implement the WTO-TFA.

The CTI Chair reiterated that the SCCP should promote the use the trade facilitation tools offered by the WCO and expected SCCP to identify targeted trade facilitation capacity building projects.

China shared that the Economic Ministers' Meeting this year encouraged deepened cooperation between trade-related agencies and customs, and further implementation of the WTO-TFA. It is a good opportunity for customs authorities in APEC to enhance their international profile.

Korea committed themselves to provide capacity building and support programs in this area.

14. Viet Nam provided the results and outcomes of the 16 August 2017 Workshop on Enhancement of Stakeholder Engagement in the Implementation of the WTO-TFA. The workshop was attended by over 90 participants. The objectives of the workshop included emphasising cooperation, connectivity and support, sharing best practices, proposing recommendations and discussing capacity building efforts to improve stakeholder engagement in the implementation of the WTO-TFA. Viet Nam reported on the success of the workshop, which was achieved through presentations and panel discussions, and expressed appreciation to delegates, which included, in addition to economy members, the World Bank, the WCO, the WTO, the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), representatives from private sector and industry associations, and independent advisors. Viet Nam identified some key challenges in engaging stakeholders to implement the WTO-TFA, and suggested recommendations to overcome these obstacles. Viet Nam will distribute outcomes on the workshop via a survey and the development of a framework to better work together (2017/SOM3/SCCP/034).

China, Japan, Korea, Chinese Taipei, Peru and the United States expressed appreciation to Viet Nam for the constructive dialogue, and also acknowledged the contribution of the private sector to the success of the workshop and the importance of continuing addressing this critical issue.

Chinese Taipei considered the outcome of the workshop as a great opportunity to enhance the capacity building of member economies and deepen partnership between the public and private sectors, and suggest to all APEC member economies to deal with the key challenges and recommendations to make the implementation of the WTO-TFA more smoothly.

Korea provided information on its implementation of the WTO-TFA and expressed its willingness to support efforts from other members on this issue.

The United States suggested that this should be an important issue to be discussed further in future SCCP meetings.

Singapore updated the meeting on what ASEAN Member States (AMS) has done with regard to the implementation of the WTO-TFA, particularly in relation to the capacity building efforts to assisting members in implementation. Singapore is the Chair of the ASEAN Customs Procedures and Trade Facilitation Working Group (CPTFWG) and, in this capacity, introduced a standing agenda item in the CPTFWG and a template to monitor the implementation of the WTO-TFA to expedite its implementation. Through this monitoring mechanism, AMS would update on their implementation of the WTO TFA, basically with a view to identify necessary technical assistance to expedite the implementation of the WTO TFA. Singapore shared that the monitoring template could be shared with Economies if Economies saw value in introducing such a mechanism in SCCP.

China requested that the outcomes of the workshop be shared with other international organisations in the interests of cooperation and collaboration.

AGENDA ITEM 6: SUPPLY CHAIN CONNECTIVITY FRAMEWORK

15. The Chair of CTI FotC of Trade Facilitation and PSU updated the progress of the SCFAP II and reiterated its five chokepoints. In each chokepoint, the challenges, targets, stakeholders and indicators are defined in details to guide the action plan with the goal to reduce trade costs across supply chains and to improve supply chain reliability in supporting competitiveness of business in the Asia Pacific region (2017/SOM3/SCCP/006).

    The Philippines enquired about the difference between the quantitative and qualitative elements of the study. PSU explained that there are limited data sets available on certain chokepoint and they may consider any new data or indicators in the future.

    Viet Nam emphasized that all five chokepoints are related to customs activities, particularly chokepoint 1 (lack of coordinated border management and underdeveloped border clearance and procedures), and suggested that, in order to successfully address all five chokepoints, close collaboration between the champion of each chokepoint and other SCCP members is required.

16. PSU presented the outcomes of the PSU's study on the Application of Global Data Standards (GDS) for APEC Supply Chain Connectivity. Three pilot projects were carried out to explore the GDS at the product level. Surveys focusing on several Key Performance Indicators (KPIs) and stakeholders evaluation were conducted to examine the GDS in relation to benefits and costs. Benefits include efficiency, integrity, visibility and innovation. Some costs have also been identified, which include training and equipment; among others (2017/SOM3/SCCP/031).

New Zealand informed that together with Hong Kong, China, it has led on supply chain integrity and risk management and have found that the benefits far outweigh the costs. Hong Kong, China recognized the functions of GDS and stressed that cost and benefit analysis should be conducted for considering which types of products are worthwhile for the application of GDS.

Japan asked PSU about GDS's feasibility and applicability for industrial products as well as agricultural products in progress. The PSU noted that it could be possible to conduct a pilot with the automobile industry; the participants of the pilot should be nominated by the participating economies.

17. Peru presented the progress of the Workshop to identify factors affecting clearance in import and export processes made by MSMEs. The workshop was organized on February, 2017, to promote the internationalisation of MSMEs. Peru encouraged members to complete the questionnaire before 8 September 2017. A follow-up workshop will be conducted in Lima on 23-25 October, 2017. The project will result in a Best Practices Manual to capture the experiences and good practices of member economies which will be available in November, 2017 (2017/SOM3/SCCP/007).

18. Chile presented the concept note on "Implementation of the Guidelines for APEC Customs Transit", co-sponsored by Peru, the United States, Papua New Guinea and People's Republic of China.. The main concern of this project is to contribute to the effective implementation of the APEC Customs Transit guidelines endorsed by Ministers in 2014 in order to achieve the goals proposed in Phase Two of the Supply Chain Framework Action Plan (SCFAP) 2017-2020. These guidelines are linked to the SCFAP and BAA to globalise MSMEs. A workshop under the concept note has been proposed to be organized on the margins of SOM3 APEC 2018 (2017/SOM3/SCCP/032).

AGENDA ITEM 7: SINGLE WINDOW

19. The United States presented the results and outcomes of the Single Window Workshop. The workshop was conducted on 17 August 2017 and brought together participants from government, the private sector and international organizations. Building blocks of a single window include political will, finance, coordinated border management, technology innovation, transparency, utilising international standards and tools and ongoing maintenance. Participants were reminded that Single Window is meant to facilitate trade and improve efficiency, with buy-in from private freight companies supporting this view. Data integrity, sustainability and interoperability were stressed by participants. The United States stated to delegates that with the WTO-TFA entry into force, that this is a good opportunity to maintain momentum on Single Window. The in-depth report of the workshop will be circulated to member economies for further comments.

Korea highly valued the results and information stemming from the workshop, and underlined technical issues such as confidentiality of information and the risk of digital

hacking. Korea is also willing to share its experience with other member economies in this aspect.

Chinese Taipei appreciated the experts' experience exchanged in the workshop and regarded this as a constructive activity to support the sustainability of Single Window.

Japan emphasized Customs is playing the leading role in Single Window so Customs is the core administration in Coordinated Border Management approach.

Viet Nam congratulated the success of the event and they acknowledged the valuable information, experience, recommendations and solutions shared in the workshop.

The Chair noted the important function of a single window in promoting a fair, transparent and dynamic trade environment. Of particular significance, a single window would foster linkages between the public and private sector with lesson learnt in the private sector in using technology to support crossing borders could be built in to the development of a single window.

20. PSU presented progress of the Study on Single Window Systems' International Interoperability (the rapid survey results). The PSU reported that terminology, minimum data sets and standards form the three technical ingredients of achieving interoperability. A legal framework is also required (2017/SOM3/SCCP/035).

21. Chinese Taipei presented the Integration and Interoperability of Chinese Taipei Single Window. The slides outlined Chinese Taipei's progress on Single Window since 1992 and the progress towards international interoperability. For example, Chinese Taipei is able to transfer certificates of origin with China through Single Window (2017/SOM3/SCCP/008).

22. New Zealand presented an update on Single Window and the use of this system as a foundation for a border management system. New Zealand outlined benefits of their Single Window, including risk capability and intelligence, which enhances compliance (2017/SOM3/SCCP/009).

China advised of the National Single Window. The pilot was initiated in Shanghai in 2014 and has now upgraded to version 3.0. The National Single Window which includes a central and local level, has covered coastal and inland areas. By 2020 it is expected that China's Single Window will integrate with other Single Window systems abroad.

AGENDA ITEM 8: AUTHORIZED ECONOMIC OPERATOR

23. Viet Nam provided an update on developments of the AEO program in Viet Nam and referenced work it was doing to move forward to sign MRA in accordance with WCO MRA Guidelines. (2017/SOM3/SCCP/010).

24. Korea updated on the APEC Regional AEO Program Initiative. Korea advised that 16 members have adopted an AEO Program and that progress has been strong. Korea advised it will host a WCO seminar in February 2018 and requested the support of member economies. Korea presented the outcomes of discussions on the AEO proposal from SCCP1 and addressed members' comments. Korea proposed that it will continue to collect members' opinions, conduct surveys and carry out additional studies, and once members have consensus, an AEO feasibility study can be commissioned to the PSU (2017/SOM3/SCCP/011).

Chinese Taipei supported the proposal for APEC members to sign multilateral MRA and encouraged APEC member economies to initiate consultation to promote the initiative, so as to implement the TFA and enhance the development of the economy in the APEC region.

Hong Kong, China showed support to the proposal and remarked that all AEO programs developed and bilateral MRAs signed by APEC members have followed the WCO SAFE Framework. Due consideration should be given for devising a separate set of standards as suggested in the ARAP proposal.

Given that individual AEO programs developed by APEC members are in compliance with the WCO standards and the bilateral MRAs signed by the 13 APEC economies were also developed in accordance with the WCO MRA Guidelines, it might not be necessary to develop another set of standards within APEC in order to multilaterally recognize all the signed MRAs. Members may consider the recognition of all the MRAs signed among those 13 APEC members right now by determining agreed MRA benefits under the ARAP.

The United States thanked Korea for their proposal and reiterated comments from SCCP1 that they do not currently participate in any multilateral AEO programme and that they would not be in a position to do so in the near future. The United States suggested that economies review the proposal and offer thoughts and comments to Korea. The United States also noted the importance of this agenda item and volunteered to work with Korea on pursuing alternative methods and referenced the WCO's MRA strategy guide as a starting point.

China and New Zealand requested an extension for economies to provide meaningful comment.

Japan expressed its appreciation for Korea to summarize a number of considerations in question into 10 key topics. Japan pointed out the fact that WCO SAFE defines AEO in terms of security and compliance aspect so there should be further consideration on this issue.

The WCO offered the support of the WCO Secretariat in brainstorming on the options under consideration. The WCO was of the opinion that the initiative should be carefully thought of and planned and would support it provided it is based on the SAFE AEO.

The SCCP delegates were informed that the conclusion of multilateral MRAs was encouraged by the WCO. The WCO further informed the SCCP of the ongoing discussions concerning the Trader Identification Number (TIN) referred to in the Korean presentation.

Korea thanked economies for comments and concerns on their proposal and welcomed a one-month extension to economies to provide comment.

25. The Philippines presented an update on their project proposal for capacity building initiatives on AEO Programmes. The Philippines acknowledged the comprehensive project proposal cycle and expressed their gratitude to co-sponsors. The capacity building needs behind implementing AEO programmes are intended to be developed at an In-Economy workshops where more technical discussions based on economy's needs should be taken into consideration. Other objectives of the workshop include identifying next steps and best practices to implement AEO programmes. The Philippines also mentioned that since the target outcomes of one of the CAP Action Items are capacity building activities among the member economies to exchange best practices and experiences on developing the necessary national legal framework for AEO ,the workshops can actually accomplish one major Action Item of the CAP (2017/SOM3/SCCP/033).

New Zealand highlighted an AEO practice with Australia – the Secure Trade Lane. It is a two-year programme, currently undergoing a proof of concept, and will explore how technology, advanced data sharing and industry partnership can reduce intervention in international trade by border agencies and allow faster clearance of goods. Through the Secure Trade Lane, New Zealand and Australia will explore an opportunity to strive towards a more streamlined, seamless and secure trade experience.

AGENDA ITEM 9: INFORMATION TECHNOLOGY AND RISK MANAGEMENT

26. Viet Nam presented the developments of the risk management system of Viet Nam Customs. Viet Nam presented a proposal to share more information among Customs administrations (2017/SOM3/SCCP/012).

Korea spoke about international standards in managing risk and sharing this information with other economies and thanked Viet Nam for their presentation.

Hong Kong, China updated the progress of its legislation to empower Customs officers to collect passenger information from cross-boundary transport operators. Risk management capabilities of Hong Kong Customs will be further enhanced with the introduction of the legislation by end-2018.

The United States mentioned the Global Travel Assessment System, an open-source application, which will be available to all WCO members for risk management in the traveller realm.

AGENDA ITEM 10: INTELLECTUAL PROPERTY RIGHTS

27. The United States presented the IPR Guidelines document. The guidelines are intended as a living document to be updated as the SCCP sees fit and will provide an operational guideline for Customs administrations. The United States asked member economies to send any additional guidelines to supplement the document (2017/SOM1/SCCP/013).

    China suggested that the document be named the IPR Practices Compendium to be more appropriate with its content.

    The United States agreed with China's suggestion that the document's name can be changed and will work further to find the right formulation for the title.

28. Viet Nam provided an update of the National Steering Committee for Combating Smuggling, Commercial Fraud and Counterfeits. With the rising challenges of illegal smuggling, commercial fraud and counterfeit goods, there is a corresponding need for more inter-agency cooperation and collaboration to combat these illicit activities. The Committee was established in 2014 and is chaired by the Prime Minister and Deputy Prime Minister. Reporting to the National Steering Committee are the steering committees of ministries and localities. The main activities of the National Steering Committee include developing strategies, proposing amendments to relevant laws and regulations and provide leadership for enforcement powers. The committee has proven to be very successful, having detected thousands of violations (2017/SOM3/SCCP/014).

29. Chinese Taipei presented on Customs' Efforts in Combating Trademark Infringement and especially focused on the collaboration with Trademark Office and right holders to make Customs IPR border protection become more effectively and efficiently. "Regulations Governing Customs Measures in Protecting the Rights and Interests of Trademark" which stipulates customs trademark enforcement procedures was promulgated in 2012 and the latest amendment was in 2016 to keep it up to date. The IPR database in Customs intranet was established in 2008 and the latest renovation was in 2016 to establish a dedicated database to integrate IPR related programs. The IPR online recordation system which established in 2014 was also modified in 2016. Chinese Taipei also shared customs capacity building of intellectual property rights to strengthen IPR border enforcement (2017/SOM3/SCCP/015).

    Viet Nam requested information on the capacity and ability to ascertain counterfeit goods.

    Chinese Taipei provided information on Customs IPR online recordation system as well as the supporting documents which should be submitted to Customs for further review.

30. Japan presented on the current trend of IPR infringements. Japan presented on statistics of seized counterfeits, border enforcement and public awareness. Seizure reports showed the breakdown of counterfeit goods by type. Border enforcement is supported by an IT system, which contains an intranet bulletin board. Training is also provided to over 2000 staff per year. Public awareness is promoted by posters, which are displayed in train stations. Japan Customs also uses social media to spread the public message about the dangers of counterfeit goods (2017/SOM3/SCCP/016).

AGENDA ITEM 11: CROSS-BORDER E-COMMERCE

31. The WCO representative presented an update on WCO's work on e-commerce. The WCO established a working group on e-commerce in July 2016, which comprises of various stakeholders and is co-chaired by Customs and the private sector. Their mandate is to propose solutions to the clearance of low value shipments, including appropriate duty/tax collection mechanisms and control procedures that will facilitate and encourage the growth of e-commerce. Areas of work include trade facilitation and simplification, safety and security, revenue collection and measurement and analysis. Work that has been done so far includes a Study Report on E-Commerce, detailed analysis of alternate methods of revenue collection and establishing a working group. Planned future activities on e-commerce were also presented by the WCO representative (2017/SOM3/SCCP/030).

    The Philippines advised that they have expressed interest in the digital trade work that is being done in FTAAP.

32. Indonesia presented on its Customs – Postal Service AEI Initiative: Facilitating Cross Border E-Commerce. Objectives include better service, facilitation via its postal service, protecting the community via risk management and collecting revenue (2017/SOM3/SCCP/017).

    Japan emphasized the importance of establishing close relationship between Customs and Postal Service.

    Chinese Taipei shared their experience in the efforts to deal with cross-border e-commerce. Chinese Taipei is now under processing e-commerce by establishing legal basis for Customs clearance of the consignments come through e-commerce. Public consultations have been used to get the opinions from private sectors. They also conducted big data analysis and made use of information and intelligence to strengthen their risk management mechanism to target illegal trade through e-commerce.

    The United States advised of their developing e-commerce strategy and other facets to include public outreach to advise the public about the dangers of counterfeit goods in line with practices outlined in the APEC IPR Practices Compendium (AIPC). New Zealand advised about an international mail 'green lane' trial with Australia to be

conducted in September. It will explore streamlining the transfer of low-risk goods, with an update provided at the next SOM.

China informed the Meeting that China will assume the Chairmanship of WCO E-commerce Working Group later this year, and will host World Customs E-commerce Conference in cooperation with the WCO in 2018. China is looking forward to active attention and participation of APEC Member customs.

AGENDA ITEM 12: COLLECTIVE ACTION PLAN

33. Viet Nam provided the results of the Time Release Survey (TRS) Questionnaire, the draft version of which was presented at SCCP1 2017. The TRS was based on 2014 APEC Supply Chain Chokepoint diagnostics. The interim report will be circulated among APEC Member economies. (2017/SOM3/SCCP/018).

    Korea thanked Viet Nam and shared its TRS experiences by outlining its electronic clearance system which measures time release information in real time.

    Japan informed that it has conducted TRS 11 times since 1991 (6 times since 2000), and has a lot of experiences in this filed. Thorough its experiences, Japan has established a firm relationship with stakeholders such as OGAs and private sectors and Japan is pleased to share its experiences among member economies for further promotion of TRS approach.

    The Philippines also voiced support for an interim report to be provided to the CTI.

    The Philippines and Japan gave updates on the CAP informing that they will circulate a survey in September 2017 and distribute the final questionnaire in October 2017. It is expected to present results in February 2018 (2017/SOM3/SCCP/021).

    Viet Nam responded that there will be an extension of one-month for further comments to be submitted before the final version of the report for TRS will be made available.

34. Hong Kong, China presented the outcomes of the stocktaking of IPR Check Sheet and thanked for member economies' support which greatly enhanced the representativeness of updating exercise. Joint efforts are required for further improvement in IPR border enforcement and updating of the IPR Check Sheet in two or three years is proposed to be continued with a review of the questions intersessionally before the IPR Check Sheet is re-circulated for another round of update (2017/SOM3/SCCP/019 & 020).

    Viet Nam thanked Hong Kong, China for its survey and presentation.

AGENDA ITEM 13: CUSTOMS TO CUSTOMS COOPERATION

35. Chile and Russia presented updates on responses to their joint survey of international legal instruments, which will ensure the effective interaction between Customs Administrations of APEC economies. Chile and Russia presented a work plan in order to allow remaining economies to respond a survey and request clarification of their responses before compiling outcomes for circulation towards the end of 2017, with a full report provided at SOM1 2018. Russia thanked Chile for its collation of responses to the survey and highlighted its importance. Russia provided a brief experience overview presentation on customs cooperation (2017/SOM3/SCCP/022 & 036).

    Viet Nam noted their strong support for customs cooperation and thanked Russia and Chile.

    The United States thanked Russia and Chile for their work and for agreeing to include as a regular agenda item and provided an update on its Customs Mutual Assistance Agreements (CMAAs) which extend to seventy-nine government-to-government agreements. The CMAAs provide the legal basis for the exchange of information between customs administrations. The United States indicated that it does not include capacity building under its CMAAs, rather these are handled through separate functions.

    Singapore thanked Chile and Russia for their work and shared that Singapore recognised the importance of information exchange between Economies against the backdrop of the current global climate with emphasis on trade security. Singapore noted that the objective of the circulated survey was to allow Economies to find a framework for developing cooperation in the Asia Pacific region. And in this case the entry into force of the WTO-TFA which contained provisions on customs cooperation (Article 12) could not have come in a better time. As all Economies were WTO Members, Singapore viewed that there was no need to duplicate the work in APEC given the existing framework for exchange of information under the WTO TFA and suggested that it was more useful to focus our efforts on capacity building needs of Economies, to encourage and help Economies implement their TFA obligations.

36. Russia presented the Terms of Reference on granting to the Russian Customs Academy the status of APEC Training Centre (2017/SOM3/SCCP/023).

    The United States thanked Russia for their presentation and sought clarity on the proposal, noting that the issue had been raised at previous meetings. The United States indicated general support for capacity building and training and suggested that this could be pursued further through the APEC governance structure through the submission of concept notes to build consensus, and cited Chile and Russia's joint survey as an example of a way to pursue this proposal.

    Viet Nam raised the issue of the additional cost that may be borne by members under the Russian proposal.

The Philippines noted that while a general terms of reference on APEC training centres had been provided, it still carried the title of 'Terms of Reference on granting to the Russian Customs Academy the status of APEC Training Centre', which caused confusion about the purpose of the document. The Philippines also asked how Russia had addressed the potential for APEC to bear additional administrative burden caused by additional oversight tasks, such as accreditation and on-going quality assurance from the use of APEC branding.

Hong Kong, China indicated that there are 26 WCO Regional Training Centers and 6 of them are in APEC economies already providing trainings in the APEC region. Hong Kong, China therefore enquired if there are any training gaps of the APEC so as to justify the need of creating a new APEC Training Center in the region.

Russia acknowledged the questions and agreed to consider its proposal further by revising the document on the basis of member economies' questions, with a revised document to be circulated intersessionally.

The Chair concluded that Russia will work on the possible next steps on this proposal in accordance with comments and recommendations received from member economies and circulate a revised document intersessionally.

37. Japan presented an overview of its Capacity Building Activities. The presentation covered the purpose of capacity building, detailed information on budget allocation and activities provided by Japan, and its plan for this year. Japan expressed its strong commitment towards improving customs capacity to accomplish the governments' policy goals throughout the AP region, noting the efforts to APEC members. (2017/SOM13/SCCP/024).

Korea thanked Japan for its presentation and acknowledged Japan's substantial capacity building contribution. Korea outlined its shared focus on capacity building, including customs modernisation and continual systems improvements.

The chair closed the item by imploring members to continue their efforts on customs to customs cooperation and thanked economies for their contributions.

AGENDA ITEM 14: COLLABORATION WITH APEC COMMITTEES, SUB-FORA, AND WORKING GROUPS

38. The United States updated on the Chemical Dialogue analysis. The United States encouraged survey responses from those members that were yet to do so (2017/SOM3/SCCP/025).

39. The Philippines presented updates on the 2017 Boracay Action Agenda (BAA) to Globalize MSMEs Stocktake and encouraged members to review the document, with particular focus on the priority actions of the BAA that have particular relevance to the SCCP (2017/SOM3/SCCP/026 & 027).

40. The United States provided the outcomes on the Workshop on Customs Best Practices to identify Illegal Timber and Wood Products. The workshop was well attended, with over 100 representatives during two full days and provided a good opportunity to bring together customs experts on this issue of increasing importance. The United States undertook to make the outcomes available to member economies New Zealand and Viet Nam thanked the United States for its leadership of the workshop and reiterated the importance of the issue and the usefulness of the outcomes.

AGENDA ITEM 15: OTHER MATTERS

41. WCO Representative provided information about Global Conference on Transit.

The SCCP Chair introduced the upcoming Friends of 2018 SCCP Chair: Australia, Chile, People's Republic of China, Japan, Korea, the United States, Viet Nam, New Zealand, and the Philippines.

The SCCP Chair introduced the upcoming Chair for 2018 APEC SCCP Mr James Kombuk Bire, Acting Commissioner Trade and Corporate Services of Papua New Guinea, who thanked to member economies for their support of PNG as the upcoming SCCP host.

The 2017 SCCP Chair expressed gratitude towards member economies for their strong support of Viet Nam during the host year of 2017 and concluded the agenda item, noting that all substantive matters had been discussed.

AGENDA ITEM 16: UPDATE OF THE 2017 SCCP WORK PROGRAM

42. The Member Economies reviewed and adopted the 2017 updated SCCP Work Program (2017/SOM3/SCCP/028).

AGENDA ITEM 17: ADOPTION OF THE 2017 SCCP SECOND MEETING REPORT

43. The SCCP Chair called upon the Members to review and adopt the Summary Report of the 2017 SCCP Second Meeting. After providing their comments, the SCCP adopted the Summary Report.

DOCUMENT ACCESS

44. Member Economies determined the confidentiality of meeting documents and reports (2017/SOM3/SCCP/000).

CLOSING REMARKS

45. The SCCP Chair expressed his gratitude to all delegates and the 2017 Friends of the Chair of SCCP for their support and great contribution to the success of the meeting.

AGENDA

Workshop on Enhancement of stakeholder engagement in the implementation of WTO Trade Facilitation Agreement (TFA)

August 16th, 2017

Sai Gon New World Hotel, Ho Chi Minh City, Viet Nam

MORNING SESSION	
8:30 – 9:00	Registration
9:00 – 9:20	Opening Remarks **Dr. Vu Ngoc Anh** Deputy Director General General Department of Viet Nam Customs APEC 2017 SCCP Chair **Mr. Diego Garcia Gonzalez** Program Director Anti-Corruption / Customs Procedures APEC Secretariat
9.20 – 9.30	Photo Session
Session 1 09:30 – 10:40	**Presentations** **Towards the implementation of the WTO TFA - Where do we stand?** • *"WTO Trade Facilitation Agreement - State of Play",* Mr. Xiaobing Tang, Senior Counsellor, Market Access Division, World Trade Organization; • "*Progress of Asia and the Pacific in Trade Facilitation and Way Forward*", Mr. Sangwon Lim, Economic Affairs Officer in the Trade, Investment and Innovation Division, United Nations ESCAP; • *"Status Quo of Japan Customs - Trade Facilitation Agreement"*, Ms. Naoki Ida, Director for Technical Cooperation, Customs and Tariff Bureau, Ministry of Finance of Japan; • Australia Department of Immigration and Border Protection. **Q&A**
10:40 – 11:00	Coffee Break

Session 2 11:00 – 12:30	**Panel Discussion** **Engagement of Customs Administration and other Border Agencies in Trade Facilitation** **Facilitator: Ms. Cynthia F. Whittenburg** Deputy Executive Assistant Commissioner Office of Trade U.S. Customs and Border Protection • *"Engagement of customs administration and other border Agencies in Trade Facilitation",* Ms. Cynthia F. Whittenburg, Deputy Executive Assistant Commissioner, Office of Trade, U.S. Customs and Border Protection; • *"Cooperation between China Customs and other border agencies on trade facilitation"*, Mr. Ji Yong, Office of WTO Affairs, Department of International Cooperation, General Administration of China Customs; • *"Korea's best practice on Coordinated Border Management- Joint inspection system"*, Mr. Seoung Hoon Eom, Assistant Director of Multilateral Cooperation Division, Korea Customs Service; • **"Viet Nam National Single Window - Food importation inspection"**, Ms. Tran Trang, Officer of Department of Legislation and International Cooperation, Vietnam Food Administration, Ministry of Health of Viet Nam. **Q&A**
12.30 – 14.00	**Lunch**
AFTERNOON SESSION	
Session 3 14:00 – 15:00	**Panel Discussion** **Strategies for fostering private sector participation in the TFA implementation process; expectations and experiences of collaboration in the National Trade Facilitation Committees** **Facilitator: Dr. Peter Faust** Advisor of Transportation and Trade Facilitation • *"Private sector participation in the TFA implementation process"*, Dr. Peter Faust, Advisor of Transportation and Trade Facilitation; • *"Trade facilitation: Reform of customs administration and specialized inspections in Viet Nam"*, Ms. Nguyen Minh Thao, Director of Department of Business environment and Competitiveness, Central Institute for Economic Management, Ministry of Planning and Investment of Viet Nam; • *"Viet Nam biz and the TFA"*, Ms. Nguyen Thi Thu Trang, Director of WTO Center, Director of Legal Department, Viet Nam Chamber of Commercial and Industry; • *"Stakeholder engagement in the WTO-TFA"*, Mr. Marcus Bartley Johns, Senior Trade Specialist, Trade and Competiveness Global Practice, World Bank. **Q&A**

Session 4 15:00 – 15:45	**Presentations** **Technical Assistance and Capacity Building** • *"WTO Trade Facilitation Agreement and the WCO Mercator Programme"*, Ms. Vyara Filipova, Technical Attaché, Compliance and Facilitation Directorate, World Customs Organization; • *"Implementation of the WTO Trade Facilitation Agreement- World Bank Group Activities"*, Mr. Marcus Bartley Johns, Senior Trade Specialist, Trade and Competiveness Global Practice, World Bank; • *"Japan Customs' Technical Assistance/Capacity Building"*, Ms. Naoki Ida, Director for Technical Cooperation, Customs and Tariff Bureau, Ministry of Finance of Japan; • *"KCS Capacity Building Program for TFA Implementation"*, Mr. Seoung Hoon Eom, Assistant Director of Multilateral Cooperation Division, Korea Customs Service; • *"WTO TFA implementation - Technical assistance and capacity building"*, Ms. Nguyen Pham Nhu Ha, Deputy Head of Division, Customs Supervision and Control Department, General Department of Viet Nam Customs. **Q&A**
15.45– 16.15	Coffee Break

16:15 – 17:00	**Wrap up and the way forward**
	
	Chair of the workshop: Mr. Nguyen Toan
	                 Director
	                 International Cooperation Department
	               General Department of Viet Nam Customs
	               Project Overseer
	
	(I) Key Challenges and Recommendations
	
	(ii) Draft Work plan
	
	(iii) Draft outline of the Survey to be conducted after the workshop

Cynthia F. Whittenburg

Deputy Executive Assistant Commissioner

Office of Trade

U.S. Customs and Border Protection

Engagement of Customs Administration and other Border Agencies in Trade Facilitation

August 16, 2017 Ho Chi Minh City, Viet Nam

U.S. Customs and Border Protection

Agenda

- CBP Overview

- TFA Border Agency Cooperation

- One U.S. Government at the Border
  - Border Interagency Executive Council
  - Commercial Customs Operations Advisory Committee
  - Commercial Targeting and Analysis Center
  - Single Window

- Questions

Overview of
U.S. Customs and Border Protection's
Trade Mission

CBP's Mission and Trade Strategy

CBP Mission:

To safeguard America's borders thereby protecting the public from dangerous people and materials while enhancing the Nation's global economic competitiveness by enabling legitimate trade and travel.
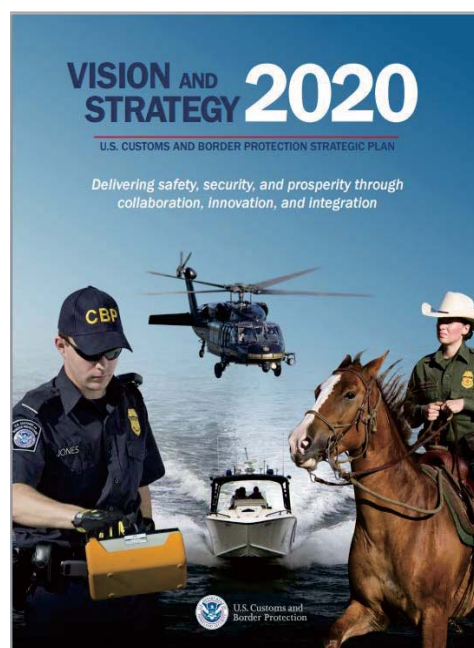
CBP Trade Goals:

Goal 1: Counter Terrorism and Transnational Crime

Goal 2: Advance Comprehensive Border Security and Management

Goal 3: Enhance U.S. Economic Competitiveness by enabling Lawful Trade and Travel

Goal 4: Promote Organizational Integration, Innovation, and Agility

VISION AND STRATEGY 2020
U.S. CUSTOMS AND BORDER PROTECTION STRATEGIC PLAN

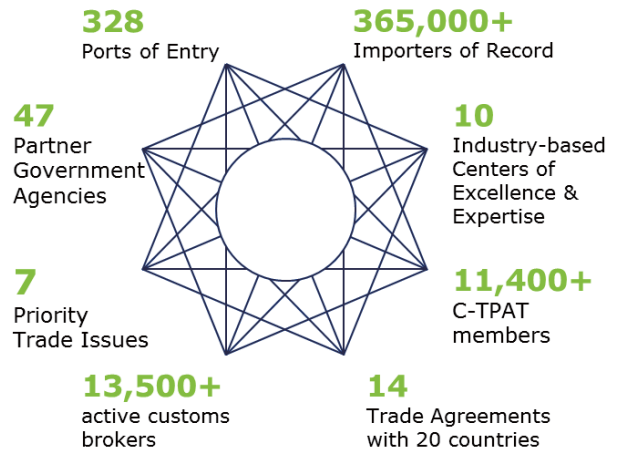Delivering safety, security, and prosperity through collaboration, innovation, and integration

CBP's Role in Trade

Enhance U.S. economic competitiveness and security. By reducing costs for industry and enforcing trade laws, CBP enables legitimate trade, contributes to U.S. economic prosperity, and protect against risks to public health and safety.

CBP is the lead representative of the Executive Branch at the border to facilitate trade and enforce over 500 U.S. trade laws and regulations.

328 Ports of Entry

365,000+ Importers of Record

47 Partner Government Agencies

10 Industry-based Centers of Excellence & Expertise

7 Priority Trade Issues

11,400+ C-TPAT members

13,500+ active customs brokers

14 Trade Agreements with 20 countries

In Fiscal Year 2016, CBP:

- Processed **$2.3 trillion** in imports and nearly **$1.5 trillion** in exports
- Cleared 32.6 million entries, which included over **27 million cargo containers**
- Collected over **$40 billion** in revenue
- Enforced nearly **500 laws and regulations**

Each Day, CBP:

- Processes **$6.3 billion** in trade
- Seizes or removes **439 illegal shipments**
- Collects **$122.7 million** in duties and taxes
- Facilitates the release of **89,315 entries**
- Issues **14 binding rulings**
- Completes **1 Audit**

U.S. Customs and Border Protection

CBP's Management of Priority Trade Issues (PTIs)

Agriculture

- Facilitates lawful agricultural imports, fairly administers and enforces quotas, and develops agricultural import policy
- In FY 2016, administered 383 agriculture quotas

Antidumping and Countervailing Duties (AD/CVD)

- Facilitate oversight of duty collection and deter circumvention of AD/CVD
- $544.4 million in AD/CVD collected in FY 2017 Q2

Import Safety

- Prevent unsafe products from entering the U.S.
- CBP and PGAs work to prevent entry of products such as non-conforming vehicle safety equipment and toxic toys

Intellectual Property Rights (IPR)

- Interdicting violative goods, and improving enforcement processes
- In FY 2016, CBP made 31,560 IPR seizures worth over $1.38 billion MSRP

Revenue

- Enforce trade laws and facilitate legitimate trade by collecting lawfully owed duties and fees
- Collected over $44 billion in revenue during FY 2016

Textiles

- Enforce textile and apparel anti-circumvention laws, legislation, and trade agreements
- Textile and apparel imports have high duty rates totaling $121.5 billion; account for ~42% of all FY 2016 duties

Trade Agreements

- Advance CBP's trade mission by communicating and enforcing the terms of Free Trade Agreements (FTAs) and preferential trade legislation
- Administers 14 FTAs with 20 countries

U.S. Customs and Border Protection

Trade Facilitation Agreement (TFA) and Border Agency Cooperation

---

WTO Trade Facilitation Agreement (TFA) Overview

- Adopted on 27 November 2014
- Three sections consisting of 24 articles
- U.S. notified WTO of acceptance on 23 January 2015
- Entered into force on 22 February 2017

Section I	**Section II**
Provisions for Expediting the Movement, Release and Clearance of Goods	**Special and Differential Treatment for Developing Countries and Least Developed Countries**
• Art.1 Publication and availability of information • Art.2 Consultations • Art.3 Advance ruling • Art.4 Appeal/Review procedures • Art.5 Other measures for transparency etc. • Art.6 Fee, Charges and penalty • Art.7 Release and Clearance of goods • Art.8 Border Agency Cooperation • Art.9 Movement of goods intended for import • Art.10 Formalities • Art.11 Transit • Art.12 Customs cooperation	• Rules about Categories A, B and C • Assistance for Capacity Building • Information to be submitted to the TF Committee

Section III
Institutional Arrangements and Final Provisions
• Committee on Trade Facilitation • National Committee on Trade Facilitation • Final provisions

Article 8:   Border Agency Cooperation

8.1   Each Member shall ensure that its authorities and agencies responsible for border controls and procedures dealing with the importation, exportation, and transit of goods cooperate with one another and coordinate their activities in order to facilitate trade.

8.2   Each Member shall, to the extent possible and practicable, cooperate on mutually agreed terms with other Members with whom it shares a common border with a view to coordinating procedures at border crossings to facilitate cross-border trade. Such cooperation and coordination may include:

8.2(a) alignment of working days and hours
8.2(b) alignment of procedures and formalities
8.2(c) development and sharing of common facilities
8.2(d) joint controls
8.2(e) establishment of one stop border post control

U.S. Customs and
Border Protection

One U.S. Government at the Border (1USG)

U.S. Customs and
Border Protection

Border Interagency Executive Council (BIEC)

The BIEC is an interagency council represented by senior-level executives with relevant border management authorities or interests that addresses operational and policy issues relating to goods that are moving into or out of the country.

The BIEC was established by Executive Order in 2014 creating a governance structure for CBP and Partner Government Agencies to streamline government systems by reducing costs and eliminating redundant capabilities through the utilization of CBP's Automated Commercial Environment.

- CBP is charged with the challenging task of enforcing over 500 regulatory requirements for 47 government agencies; the BIEC facilitates the coordination and prioritization of projects related to this large-scale development effort.

- Today the BIEC is comprised of 47 Partner Government Agencies with a regulatory role that intersects with the flow of goods into and out of the country.

- Charged with improving border management and coordination, the BIEC facilitates public-private dialogues to address U.S. government trade initiatives and challenges.

Single Window

CBP Commercial Customs Operations Advisory Committee (COAC)

The COAC is a Federal Advisory Committee consisting of 20 private sector representatives that advise the Department of Homeland Security and Department of Treasury on regulations, policies, and practices pertaining to:

- ✓ Global Supply Chain Security and Facilitation
- ✓ Modernization and Automation
- ✓ Trade Enforcement

- ✓ Trusted Trader
- ✓ One U.S. Government Approach to Trade and Safety of Imports

U.S. Customs and Border Protection

Commercial Targeting and Analysis Center (CTAC)

- The CTAC is located in Washington, DC and facilitates a one U.S.-government approach for **information sharing and leveraging the collective resources of participating government agencies** to prevent, deter, interdict and investigate violations of U.S. import and export laws.

- Launched in 2010, this single-issue fusion center has grown to now encompass 11 U.S. government agencies, with CBP serving as the host agency.

Fish and Wildlife Service	Consumer Product Safety Commission	National Oceanic and Atmospheric Administration	CBP & Immigration and Customs Enforcement	National Highway Traffic Safety Administration

Food and Drug Administration	Pipeline and Hazardous Materials Safety Administration	Environmental Protection Agency	Animal and Plant Health Inspection Service	Food Safety and Inspection Service

U.S. Customs and Border Protection

QUESTIONS?

U.S. Customs and
Border Protection

15

Cooperation between China Customs and other Border Agencies on Trade Facilitation

Ji Yong
Office of WTO Affairs
Department of International Cooperation
General Administration of China Customs

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Overview I: Policy Background of Border Agency Cooperation

WCO

Coordinated Border Management
- RKC,GA
- SAFE
- CBM
- Data Model
- Single Window

WTO

Cutting the "Red Tape"
- ATF (Article 8)
- a broad approach to border agency cooperation.
- Single Window

China

3M Integration
- --Mutual exchange of information
- --Mutual recognition of control
- --Mutual enforcement assistance among border agencies

Overview II: China's TFA Implementation

In December 2013, WTO member concluded negotiations on a TFA at the Bali Ministerial Conference

On June 2014, China notified WTO of its category A measures

On 27 November 2014, WTO member adopted a Protocol of Amendment to insert the new Agreement into Annex 1A of WTO Agreement

China became the 16th WTO member to ratify WTO's TFA on 4 September 2015

Overview II: China's TFA Implementation

China's Category A and B Status (June 2014)

- 10%
- 90%
- Category A
- Category B
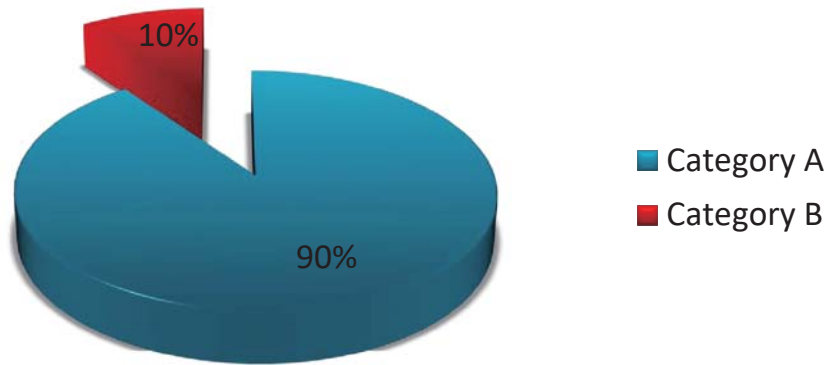
China's Category A:
All articles, except for the following:

7.6	10.4	10.9	12
Establishment and Publication of Average Release Time (B)	**Single Window (B)**	**Temporary Admission of Goods and Inward and Outward Processing (B,implemented on Nov, 2016)**	**Customs Cooperation (B)**
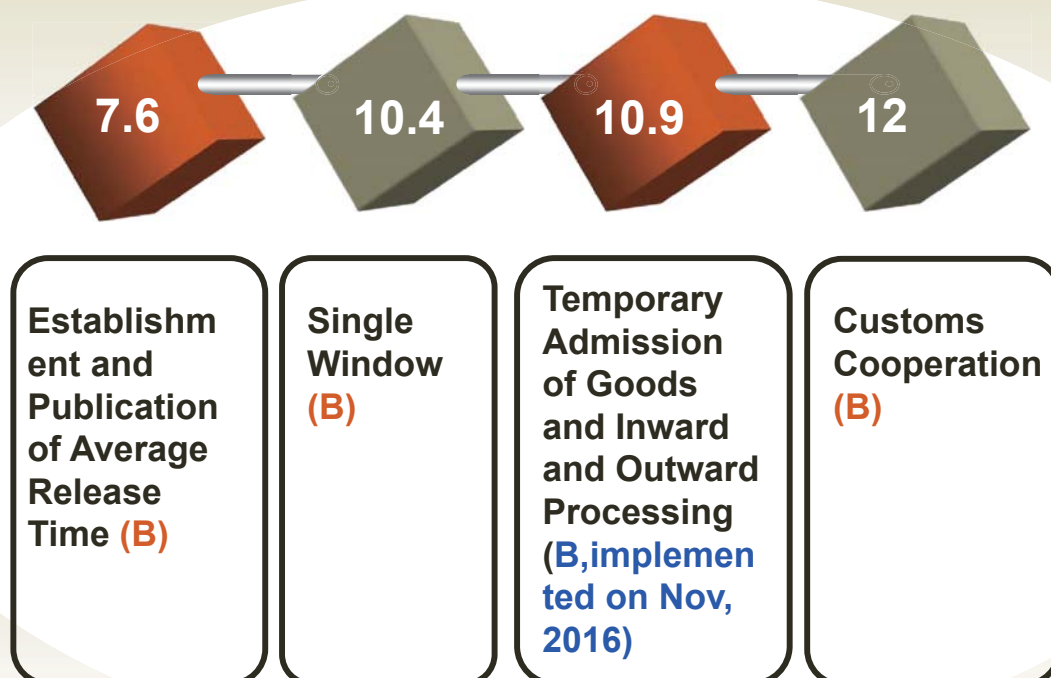
Case 1：Coordinated Implementation of TFA

Article 23.2 National Committee on Trade Facilitation

- ➢ **Trade Facilitation Work Inter-ministerial Joint Conference Mechanism**
  - **-Established on March 2016 by the State Council**
- ➢ **All the relevant agencies are involved**
  - **-16 Ministries and Commissions**
- ➢ **Strong political support**
  - **-Vice Premier as the convener**

NCTF China

- • Chair: Vice Premier of the State Council
- • Vice Chair: heads of Ministry of Commerce, GACC and AQSIQ and Deputy Secretary-General of the State Council

- • 16 members: Ministry of Commerce, National Development and Reform Commission, Ministry of finance, Ministry of Communications, General Administration of Customs (GACC) , General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ)…

Main Responsibilities of China's NCTF

- Strengthening general guidance on trade facilitation, exploring policy and measures to improve trade facilitation

- Coordinating trade facilitation policy among different ministries

- Providing guidance on the implementation of the agreement, coordinating and solving major problems in the implementation of the agreement

- Summarizing and promoting trade facilitation experience, making overall planning of international

- cooperation and exchange in trade facilitation.

Case 2: Customs-CIQ 3 Singles Cooperation

Article 8 - Border Agency Cooperation

Customs-CIQ 3 Singles

3 Singles	**Single declaration**	"one entry for different declarations" to customs and CIQ by inputing once the data for customs and CIQ.
	Single inpsection	"one opening for different inspections". If both customs and CIQ need to inspect the same shipment, they should conduct joint inspection according to their own duties in the principle of "one opening", to avoid repetitive offloading and movement.
	Single release	"networked release by customs and CIQ". Customs and CIQ send the release instruction through the e-port to the port authority, against which the traders go to the port authority to deliver the goods.

Case 3:Coordinated Customs Border Control

Article 8 - Border Agency Cooperation

Coordinated Customs Border Control within CAREC members

-Parties

➢China-Mongolia
Pilot Project in 2009
➢China-Kazakhstan
Pilot Project in 2007

-Phases
➢Unified Manifest (Single Manifest)
➢Mutual Recognition of Customs Inspection Result
➢Joint Customs Border Operation

-Benefit
➢Lower cost, shorter clearance time

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China-Kazakhstan Customs Cooperation

- **Working Mechanism**:
  - China-Kazakhstan Port and Customs Cooperation Sub-Committee was established on Nov.2014

- **Major Program**

  - Coordinated customs border control

  - Green Channel to facilitate the clearance of agricultural products

  - Pre-exchange of information

  - Customs statistics cooperation

Case 4: International Trade Single Window

Article 10.4 Single window

China's International Commitment as a WTO member

Innovative port management model; national strategy to improve trade competitiveness

Effective means to streamline cross-border procedures and further facilitate trade

Single Window- A National Strategy

| Central Committee | 2014 Decision of Integrated Port Management—Three Mutuals |

| State Council | 2014-2015 Decisions to build single windows in the coastal ports by the end of 2015 ,and spread nation-wide in 2017 |

| National Port Management office | Leading the working group for SW with the participation of Ministry of Public Security, Ministry of Transport, GACC, AQSIQ, etc. |

SW Objectives

--Single Entry
--Single Submission
--Single Feedback

--Mutual mutual exchange of information,
--Mutual recognition of supervision
--Mutual assistance in law enforcement.

The overall objective of China's Single Window is based on our practical situations and in line with UN and WTO standards.

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Vision

Central level

Based on China E-Port platform, use the data interface provided by the relevant departments and achieve the basic functions of single windows for international trade (National single window Standard Version), and provide it to the places which has no facilitation for building the single window.

Local level

Based on local E-Port platform, use the data interface provided by the relevant departments and achieve the basic functions of single windows for international trade and search for more service functions according to the business needs.

Working Mechanism of SW

National level

Overall planning, national single window building, technical standardization and unification, basic functions specification , technical support and guidance to the building of the single window...

Local level

specific implementation of relevant work, single window functional extension to meet local demands.

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Major Timeline for SW Construction

SW Pilot Testing in Shanghai

SW spreads to major inland ports

SW covers the whole chain of international trade

2014   2015   2016   2017   2020

SW spreads to coastal ports

Nationwide adoption of SW
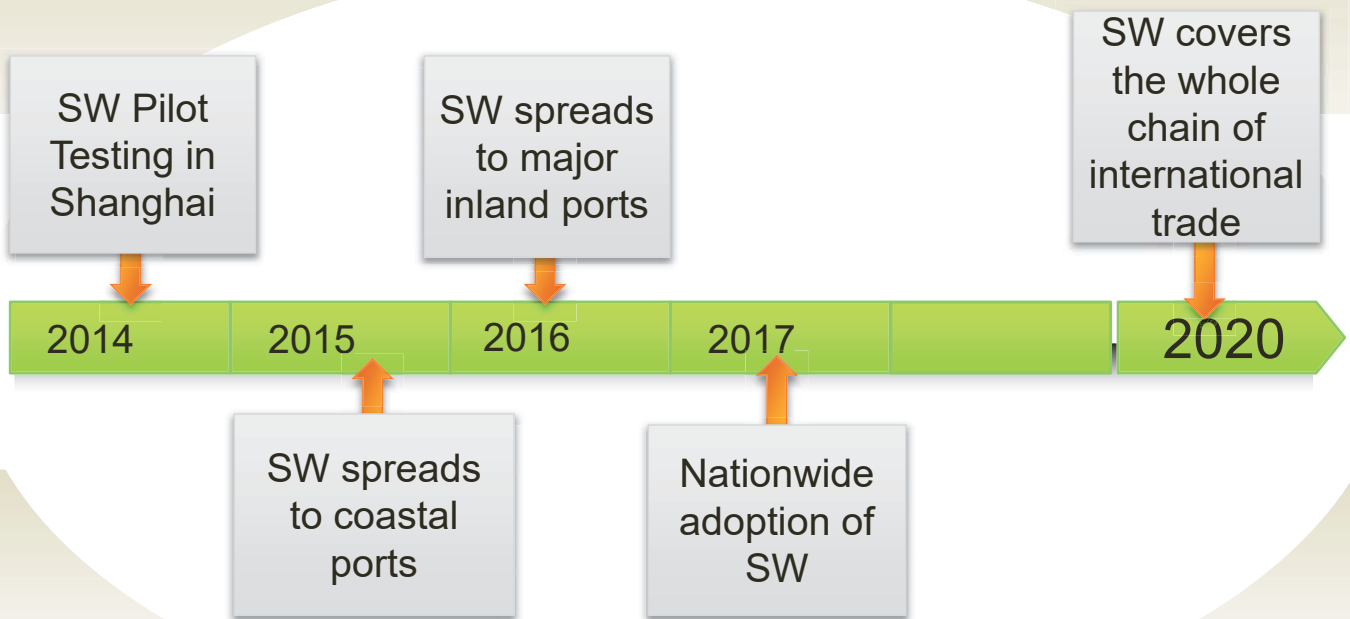
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SW pilot program was Launched at Yangshan Port in Shanghai on June 18th 2014

International Trade SW pilot program

 SW pilot program was Launched at Yangshan Port in Shanghai   on June 18th 2014 with the national port management office taking the lead.

Basic Functions of International Trade Single Window

23 new items within 6 functional modules involving 17 government departments including Customs, CIQ, marine board, immigration, civil aviation, postal service, NDRC, etc.

With preliminary structures and functions of international trade SW

1.Import&Expot declaration of goods

2、Declaration on means of transportation

SW

Online printing for approval of release for outward ships

Ship piloting information exchanged within different departments

3、Application for permits

Logging in SW

trader

SW

Import permit
Auto import permit
Quota permit for fertilizer
Export permit
Permit for dual-use items
Permit for fauna and flora
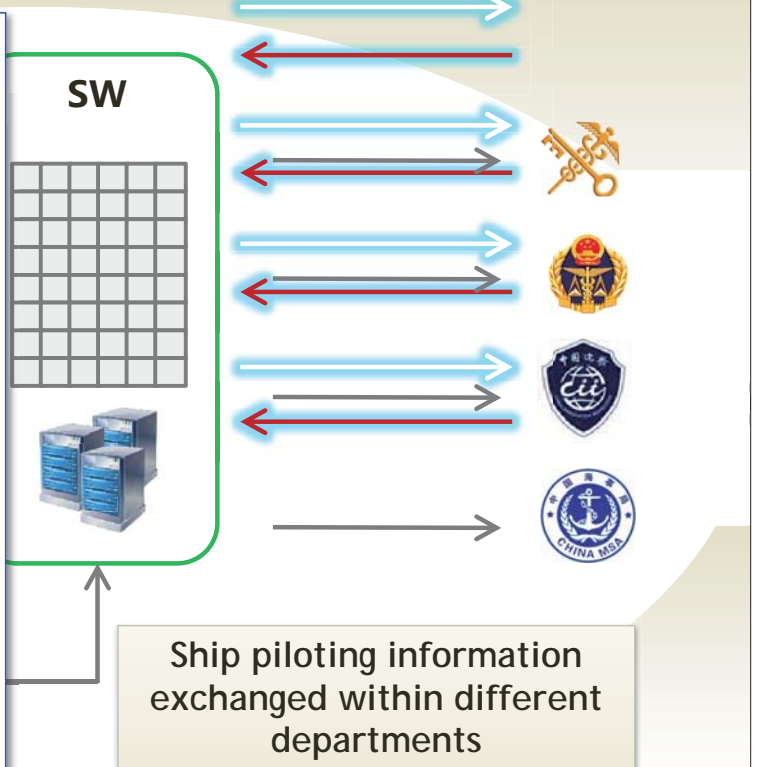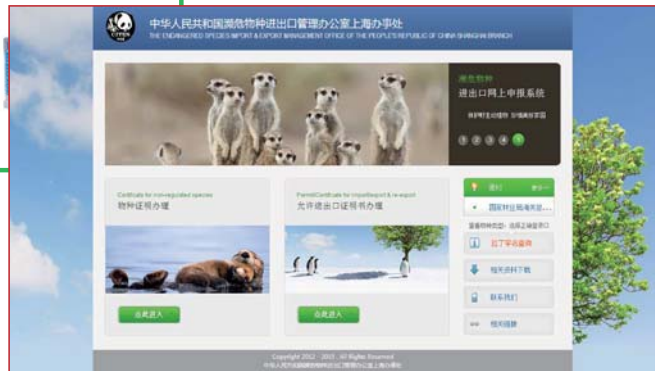
Basic functions of international trade SW Ver. 1.0

3、Application for permit

SW

导航菜单　　《　｜ 欢迎使用 ｜ 羊毛毛条进口配额 × ｜ 羊毛毛条进口配额-22002014033129 ×

Permits mainly involve 27 related government departments such as the ministry of finance, ministry of environment protection, AQSIQ, ministry of public security, national health and family planning commission, national office for endangered species, national food and drug administration, ministry of agriculture, news publication bureau, state cryptography administration, SARFT, people's bank, state administration of foreign exchange, general armament department, state administration of science, technology and industry, ministry of industry and IT, ministry of land and resources, etc.
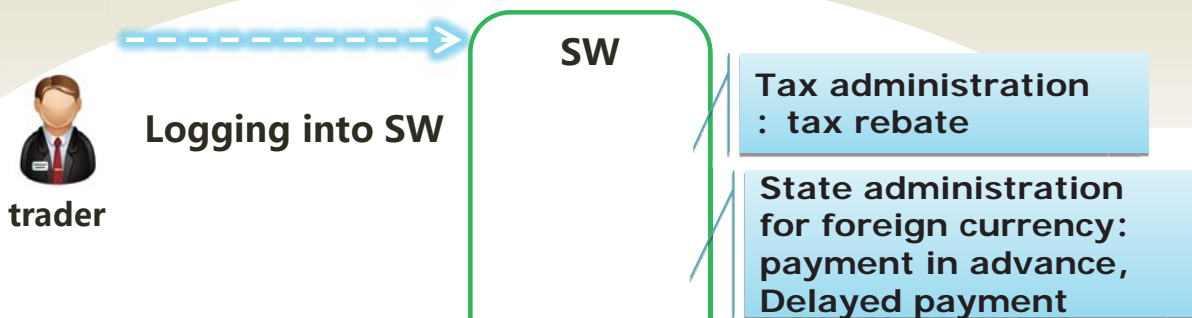
进口合同

进口商	华润振华贸易		进口商海关编码	H35
合同号	3221031	商品名称：细羊毛	商品编码	H3337
合同数量（吨）	50	签约日期：20150101	报关口岸	上海
装船期	20150201	原产地：新西兰	贸易国（地区）	亚太
合同单价	300.00	合同总值：3000000	总值折美元	300000

配额许可审核　　》

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当前版本：1.0.0.0

4、payment for taxes and fees

1. declaration in SW

2. feedback from customs

SW platform

redirect

Information of payment result

3. logging into SW

4. information of Payment result

Oriental payment platform
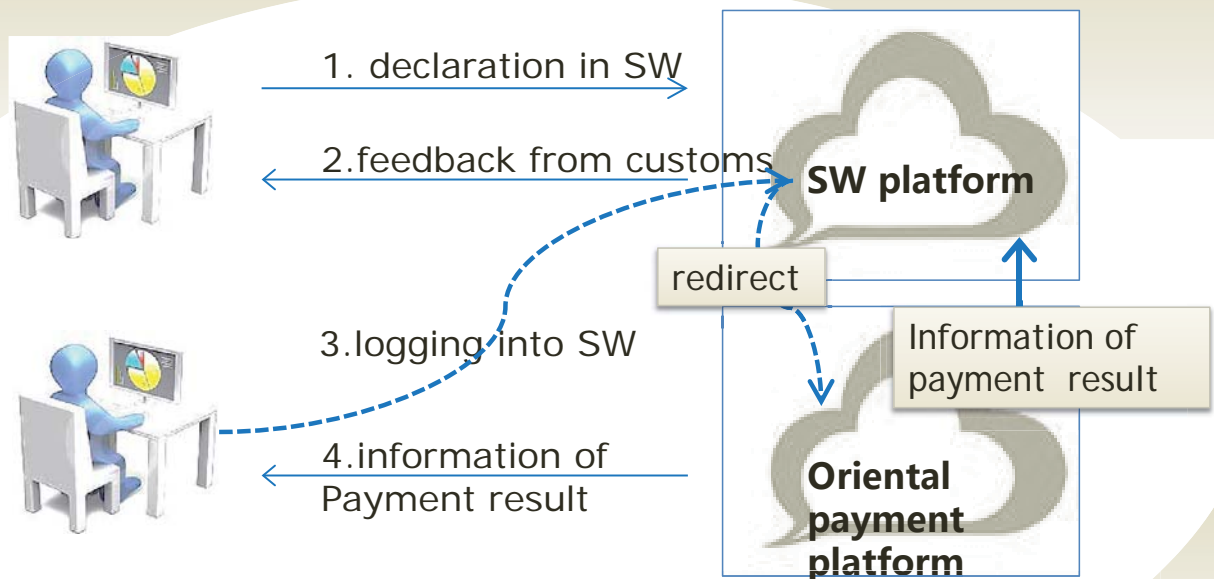
Oriental payment system is connected with SW. Enterprises make declaration and payment in SW by means of **Hyperlinks**. The information of declaration and related duty payment is displayed both in SW and oriental payment system.
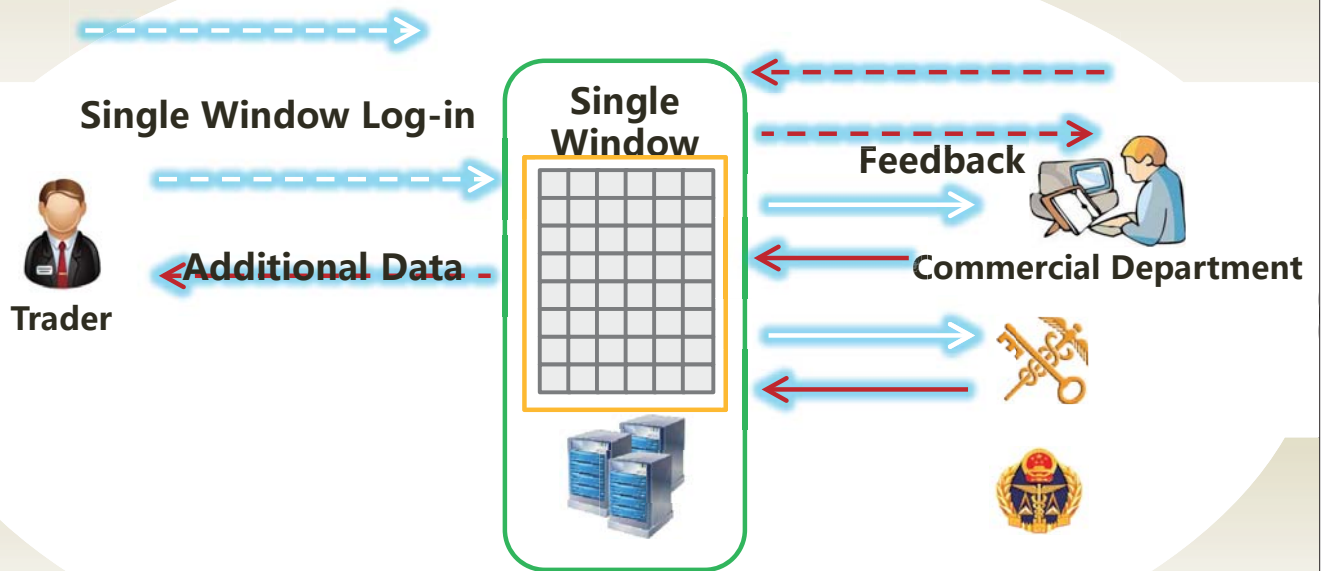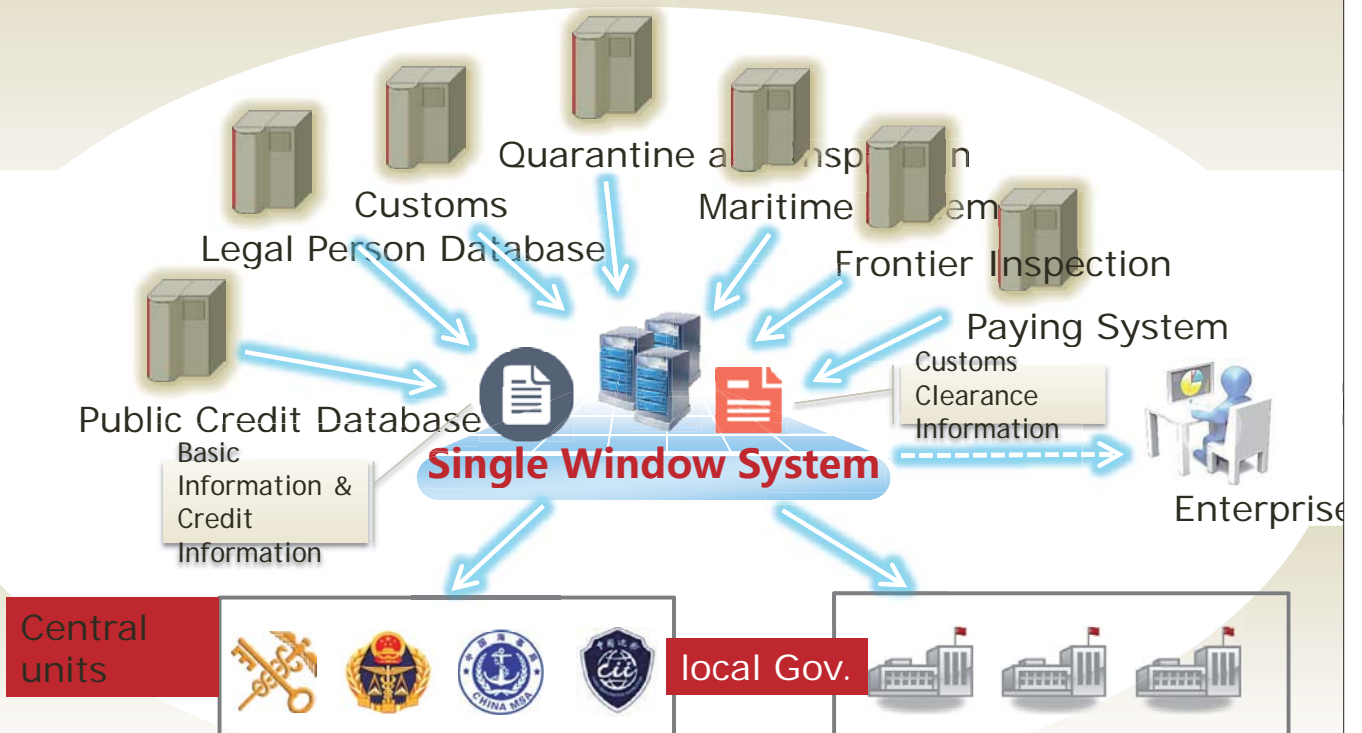

4、payment for taxes and fees

SW

Logging into SW

trader

Tax administration : tax rebate

State administration for foreign currency: payment in advance, Delayed payment

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5、Enterprise Qualification

Single Window Log-in

Single Window

Feedback

Additional Data

Trader

Commercial Department

6、Information Enquiry

Quarantine and Inspection

Customs

Maritime System

Legal Person Database

Frontier Inspection

Paying System

Public Credit Database

Customs Clearance Information

Basic Information & Credit Information

Single Window System

Enterprise

Central units

local Gov.

Expected Benefits of SW

Single platform for declaration

Reducing complexity of declaration, abandoning cumbersome procedure with too many people, terminals and documents

SW interface One-stop service

Dispensing repetitive formalities, separate document submission, waiting for approval and other steps; saving manpower and time

Trade Facilitation

Unified and standardized declaration data pool

Once entry for the same or similar data item, reducing the repetitive entry of the same kind of data.

Reducing intermediate procedures and lowering the error rate

Seamless link of info. flow between biz and port agencies

Further Measures to Implement FTA

Compliance
- In pace with customs reform
- Embedded in modernization of Customs governance
- Focus on details

Cooperation
- Customs and Customs
- Customs and private sector
- Customs and other agencies

Coordination
- Facilitation and security
- Gate keeper and trade enabler
- At the border and beyond/behind the border

THANK YOU

Border Agency Cooperation of KCS

- Joint Inspection System -

Workshop on Enhancement of Stakeholder Engagement in the implementation of WTO TFA
16 August 2017: Ho Chi Minh City, Viet Nam

관세청
Korea Customs Service

APEC
Asia-Pacific
Economic Cooperation

APEC
VIET NAM
2017

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1. Overview

2. Border Agency Cooperation in WTO TFA

3. KCS's best practice on border agency cooperation

Overview

\<Article 8\> **Border Agency Cooperation (WTO TFA)**

1. Each Member shall ensure that its authorities and agencies responsible for border controls and procedures dealing with the importation, exportation, and transit of goods cooperate with one another and coordinate their activities in order to facilitate trade

2. Each Member shall, to the extent possible and practicable, cooperate on mutually agreed terms with other Members with whom it shares a common border with a view to coordinating procedures at border crossing to facilitate cross-border trade.

   Such cooperation and coordination may include:

   (a) alignment of working days and hours;
   (b) alignment of procedures and formalities;
   (c) development and sharing of common facilities;
   (d) Joint controls;
   (e) establishment of one stop border post control.

Border Agency Cooperation in WTO TFA

The TFA requests

1. **All national border authorities to cooperate with each other and Coordinate border control and procedures to facilitate trade**

2. **Such Cooperation and Coordination may include;**

   - **alignment of working days and hours,**

   - **alignment of procedures and formalities,**

   - **development and sharing of common facilities,**

   - **Joint controls and establishment of one stop border control**

Coordinated Border Management

Coordinated Border Management (CBM)

Coordinated approach by border control agencies, both domestic and international, in the context of seeking greater efficiencies over managing trade and travel flows, while maintaining a balance with compliance requirements

2 Key Areas

- physical movements of goods
- flow of information

KCS's best practice on border agency cooperation

- Joint Inspection System -

KCS's best practice
Joint Inspection System

Overview

- Over **70%** of daily necessities are imported goods
- There are increased public concerns of **illegal, defective goods**

Examples: Imported items which may be illegal, defective goods

- baby toys

- Chemical goods

- Health supplement food

KCS's best practice
Joint Inspection System

Challenges – changing operating environment

- A growing numbers of imported goods affecting **Public safety**

- Customs do not have specialties in **other government agencies' works**

- Customs has no **relevant information on specific items**

- Customs has no **enough human resource**

KCS's best practice
Joint Inspection System

Previous safety management system

Pre-Clearance stage
- Customs -

▶ **before domestic distribution**

-Less than 5% of physical inspection

-Documentary(Certificate) audit

-Lack of expertise in specific safety- related items

관세청
Korea Customs Service

Clearance

After-Clearance stage
- Other government Agencies -

▶ **After domestic distribution**

-Post clearance intervention during distribution

-difficult to recall goods due to the lack of information on import

KATS 국가기술표준원
Korean Agency for Technology and Standards

mev 환경부

식품의약품안전처
MINISTRY OF FOOD AND DRUG SAFETY

The lack of safety management system on import

KCS's best practice
Joint Inspection System

Previous safety management system

Importer

Application for Safety certification ⇅ Issuance of Safety certification

Safety related agencies

Clearance

Check availability of safety certificate

Crack down on market
(Safety agencies)

Distribution

Consumer

Customs Inspection	• **Inspection focus on document (Certificate)** - **difficult in detecting illegal / defective goods**
Crackdown In market	• **Safety check during distribution (each safety agencies)** - **Low recall rates of illegal or defective goods**

KCS's best practice
Joint Inspection System

Joint inspection system

- Joint inspection during import procedure **is most effective to**
  ① **prevent harmful goods** ② **reduce cost for crack-down**

Customs	Safety related agencies
• **Resource**	• **Expertise**
Information on Import Clearance	Detailed Information on Safety Certification
Information on Detected Cases by Customs	Information on Detected Cases in Market
Inspection of Goods during Clearance	Expertise in Analyzing Defective Goods

Sharing information
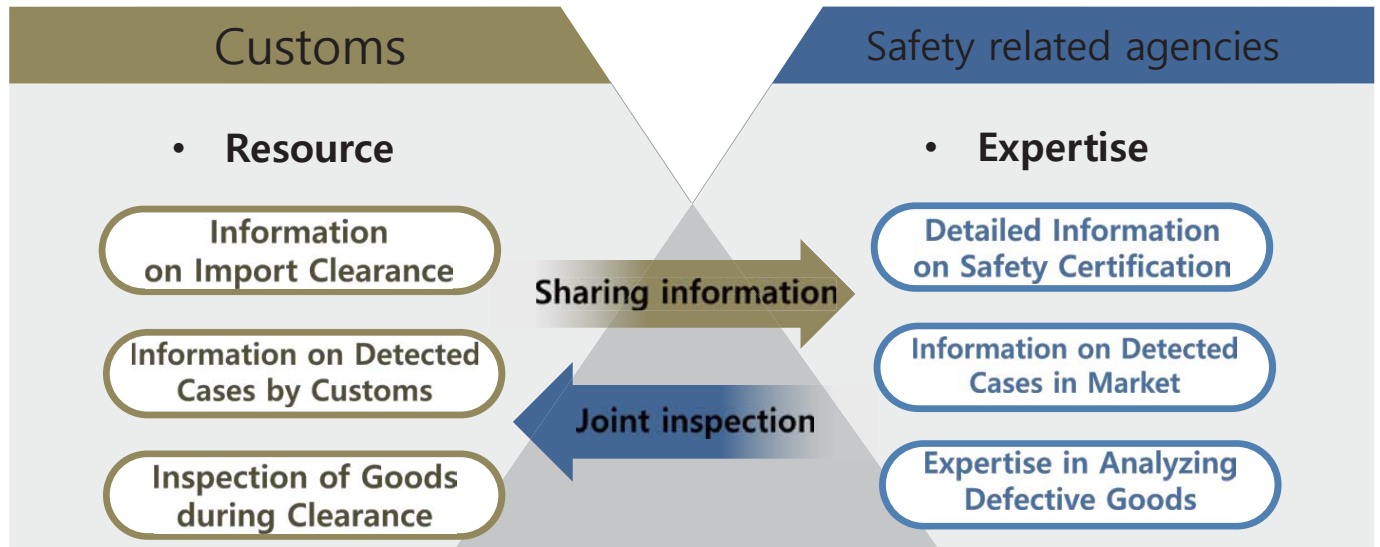
Joint inspection

KCS's best practice
Joint Inspection System

Information sharing & Joint inspection

CUSTOMS Clearance Information

Certifying Agencies Crackdown information

Connecting information

Low Risk — Compliant Importer/company — Fast Clearance — Distribute in market

High Risk — Importer/company With violation record — Physical inspection — Detailed inspection — Returning/ Disposal

Joint Inspection

1. Selection	2. Joint inspection	3. Returning / Disposal
- By information sharing	- Physical inspection, verification of certificate document	- Illegal / defective / harmful goods

KCS's best practice
Joint Inspection System

Risk Management by information exchange

| INFORMATION FROM OTHER AGENCIES | → | SELECTION CRITERIA | → | TARGETTING | → | APPLICATION OF CUSTOMS CONTROL WITH OTHER AGENCIES |
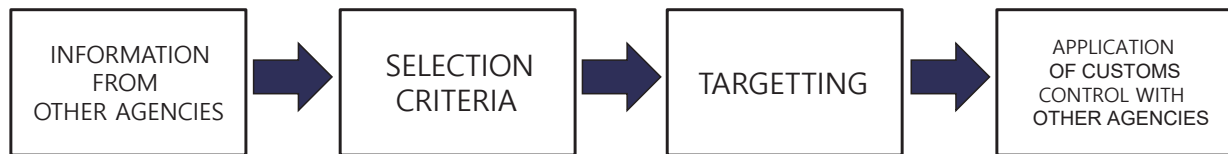
- Informed through Integrated Risk Management system
- Risk Criteria Developed by Intelligence Officials
- Sharing of inspection results with other government agencies for feedback

KCS's best practice
Current status of joint inspection system

Cooperate with 7 government agencies for 662 items in 8 areas (2016)

Agencies	Item types	Related law	Effective Since
KATS (Korean Agency for Technology and Standards)	Toys, Electronic Appliances (361 Items)	Product safety Act	Sep. 2014
Ministry of Environment	Chemical Substances (148 Items)	Chemicals control Act	May. 2015
Ministry of Food and Drug safety	Foods Directly Purchased Overseas by individuals (1)	None	July. 2015
Ministry of Employment & Labor	Goods containing Asbestos (62 Item)	Industry safety Act	November. 2015
Korea Forest service	Pellet (1 Item)	Timber control Act	March. 2016
National Radio Research Agency	Communication equipments (88 Items)	The Radio wave Act	June. 2016
Ministry of Trade & Industry and Energy	Strategic goods (1 Item)	Foreign Trade Act	July. 2016

KCS's best practice
Current status of joint inspection system

Designated 4 main joint inspection centers

1. **Incheon Main Customs**
   ① **Port joint inspection Center**
   ② **Air port Joint inspection Center**

2. **BuSan Main Customs**
   - **Port joint inspection Center**

3. **Pyeongtaek Customs**
   - **Port Joint inspection Center**

Incheon Customs
Port Joint Inspection Center

Incheon Customs
Air port Joint Inspection Center

Pyeongtaek
Customs

Busan
Customs
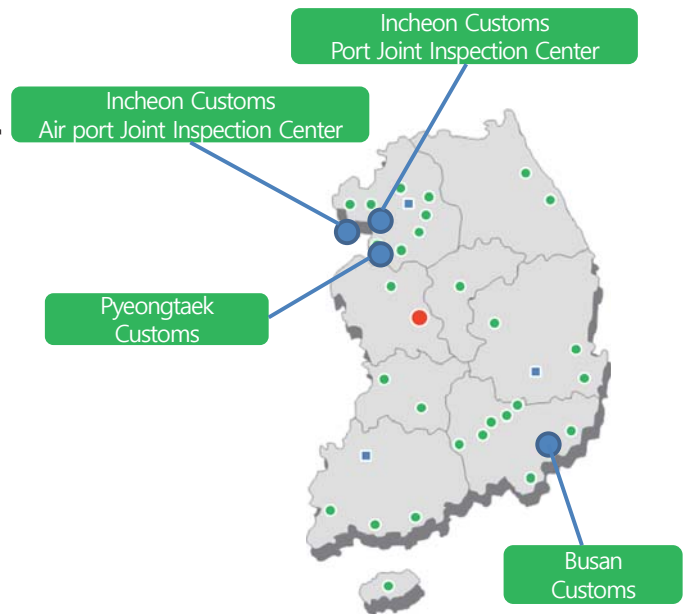
KCS's best practice
Achievements of joint operations

Detection statistics

(Cases)

Agencies		2014	2015	2016
Korea Agency for Technology and Standards	Toys	18	293	146
	Electric Product	49	753	374
Ministry of Environment			568	278
Ministry of Food & Drug safety			396	6,272
Ministry of Employment & Labor			4	1
Korea Forest Service				18
National Radio Research Agency				139
Total		**67**	**2,014**	**7,228**

KCS's best practice
Achievements of joint operations

Cooperation with other government agencies

Government Agencies Meeting for Cooperation

Agreement for Joint operation

Opening Ceremony for joint operation Office

Working level meeting for joint operation

KCS's best practice
Achievements of joint operations

Detected items

KCS's best practice

Achievements of joint operations

Not certified product

KATS (Korea Agency for Technology & Standards)	 **TOY** Containing Over 184 times of more Plasticizer than allowed level	 **TOY** Containing Over 11 times of Lead than standard

---

KCS's best practice

Achievements of joint operations

Not certified product

The Ministry Of Environment	 **Prohibited Chemicals** 2-Napthylamine	 **limited Chemicals** Hexavalent Chrome

KCS's best practice
Achievements of joint operations

Not certified product

The Ministry of Employment & Labor		
	BRAKE PAD	**BRAKE PAD**
	Containing 12% of White Asbestos (Cancer causing substance)	Containing 15% of White Asbestos (Cancer causing substance)

Thank you!

Workshop Agenda

APEC Workshop on Single Window

17 August 2017

Ho Chi Minh City, Viet Nam

New World Saigon Hotel

76 Le Lai Street, District 1

Meeting Room: Mekong 23

	17 August 2017
8:30 am	**Arrival and Morning Session Registration for Government Participants**
9:00 – 9:30 am	**Welcome, Opening Remarks and Group Photo** **Dr. Vu Ngoc Anh,** Deputy Director General of Viet Nam Customs **David Dolan**, Director, International Organization and Agreements Division, U.S. Customs and Border Protection
Session 1 9:30 – 10:45 am	**Building Blocks of Single Window Systems** • **Moderator: Mr. David Dolan**, Director, International Organizations and Agreements, U.S. Customs and Border Protection (CBP) **Presenters:** • **Mr. Armen Manukyan**, Technical Attaché, World Customs Organization • **Mr. Vu Van Thanh** – Deputy Head of Division, National and ASEAN Single Window Operation and Management Division, IT and Statistics Department • **Debbie Augustin,** Executive Director, Trade Transformation Office, U.S. Customs & Border Protection • **Mr. Sangwon Lim,** Economic Affairs Officer, United Nations, Economic and Social Commission for Asia and the Pacific (ESCAP)
10:45 – 11:15 am	**Coffee/Tea Break**

	17 August 2017
Session 2 11:15 am – 12:30 pm	**Data Quality and Security** • **Moderator: Debbie Augustin,** Executive Director, Trade Transformation Office, U.S. Customs & Border Protection **Panelists:** • **Mr. Joaquin Gonzalez**, Administrator for Customs Modernization, SAT • **Mr. Desmond Chia**, Senior Customs Trainer, Singapore Customs • **SeoungHoon Eom,** Assistant Director**,** Korea Customs Service • **Mr. Armen Manukyan**, Technical Attaché, World Customs Organization
12:30 – 2:00pm	**Lunch**
1:30 pm	**Afternoon Registration Session for Private Sector Participants**
Session 3 2:00 – 3:00 pm	**Single Window to Facilitate Trade and Economic Competitiveness** • **Moderator: Mr. Armen Manukyan**, Technical Attaché, World Customs Organization **Presenters:** • **Mr. Sangwon Lim,** Economic Affairs Officer, United Nations, Economic and Social Commission for Asia and the Pacific (ESCAP) • **Cynthia Whittenburg,** Deputy Executive Assistant Commissioner, U.S. Customs and Border Protection • **Megan Giblin,** Director, Customs and Trade Facilitation, United State Council for International Business • **Ms. Yuly Ninanya,** Legal Advisor for Trade, Peru Ministry of Foreign Trade and Tourism
Session 4 3:00 – 4:00 pm	**Streamlining Processes: Addressing Challenges from the Private Sector** • **Moderator:** **Megan Giblin,** Director, Customs and Trade Facilitation, United State Council for International Business **Panelists:** • **Kim Le**, Public Affairs Lead for North Asia and APAC Partnerships at UPS Asia Pacific, UPS • **Mr. Ciaran O'Neill**, Senior Operations Director, DHL Express Vietnam,
4:00– 4:30 pm	**Coffee/Tea Break**

	17 August 2017
Session 5 4:30 – 5:30 pm	**Single Window Solutions to Ensure Sustainability and Interoperability** • <u>**Moderator:**</u> **Cynthia Whittenburg,** Deputy Executive Assistant Commissioner, U.S. Customs and Border Protection **Panelists:** • **Mr. Sangwon Lim,** Economic Affairs Officer, United Nations, Economic and Social Commission for Asia and the Pacific (ESCAP) • **Dave Haigh,** Trade Policy Manager**,** New Zealand Customs • **Mr. Naoki Ida,** Director for Technical Cooperation, Customs and Tariff Bureau, Ministry of Finance, Japan
5:30 - 5:45 pm	**Recommendations and Conclusions**
5:45 – 6:00 pm	**Conclusion**

Data Quality in a Single Window System

SINGAPORE

CUSTOMS

We Make Trade Easy, Fair & Secure

APEC Single Window Workshop
17 Aug 2017, Ho Chi Minh, Vietnam

Desmond Chia
Singapore Customs

Definition of Single Window

A Single Window is a facility that allows parties involved in trade and transport to lodge standardized information and documents with a single entry point to fulfill all import, export and transit-related regulatory requirements. If information is electronic, then individual data elements should only be submitted once.

UN/CEFACT Recommendation 33

Singapore's National Single Window

- TradeNet®

- Launched on **1 Jan 1989**

- Enables multiple parties to lodge **standardised** information electronically, with a **single point** of entry

- Provides a single platform for Singapore's trade and logistics community to fulfill all import, export and transhipment related regulatory requirements

We Make Trade Easy, Fair & Secure

Objectives of TradeNet®

Authority	Business Community
• Enforce controls laid down by domestic policies and international agreements • Collect Goods and Services Tax(GST) and Customs duties • Collect trade statistics	• Single submission of regulatory documents at a single location • Increase productivity and efficiency through time and cost savings in obtaining clearance from government authorities • Predictable application and explanation of rules • Effective and efficient deployment of resources

Usage of Data

- Revenue computation
- Risk analysis/assessment
- Data analytics
- Collation of statistics
- Compliance checks
- Other regulatory controls, e.g. quarantine control

How good is the data?

Quality of Data

Ensuring Quality of Data

Addressing the issues:

- Technical / System measures

- Non-Technical / Non-System measures

Technical / System measures

A. Promote use of International Standard Codes

- ✓ WCO Harmonized System codes
- ✓ ISO 3166 Country Codes
- ✓ ISO 4217 Currency Codes
- ✓ UN/LOCODE for Ports and Airports

Technical / System measures

B. Establish connection with community networks
- ✓ Port Authority system
- ✓ Airport Authority system

C. Establish connection with overseas partner
- ✓ Obtain information at source
- ✓ Re-use of standardised information

Non-Technical / Non-System measures

Governance Framework on users of Single Window System

a) Registration of users

b) Banding/Grading of Declaring Agents / Customs Brokers

c) Raising the competency level of users

a) Registration of Users

- Prevent mis-use/illegal usage of the system
- Provide authentication of authorised users
- Users are legally responsible for the information that they submit
- Monitor performance of users

User ID: John Meridian

Password:

One-Time Password

One-Time Password

368448

Generate

RSA SecurID® 159 759.

Non-Technical / Non-System measures

b) Banding/Grading of Declaring Agents / Customs Brokers

- Raise proficiency and professionalism
- Recognition of higher compliance agents
- Encourage continuous improvement

Assessment criteria :

- Personnel Management Procedures
- Training on Customs Procedures
- Company's Procedures & Processes
- Company's SOPs Documentation
- Company's Information Management & Controls
- Company's Compliance Record
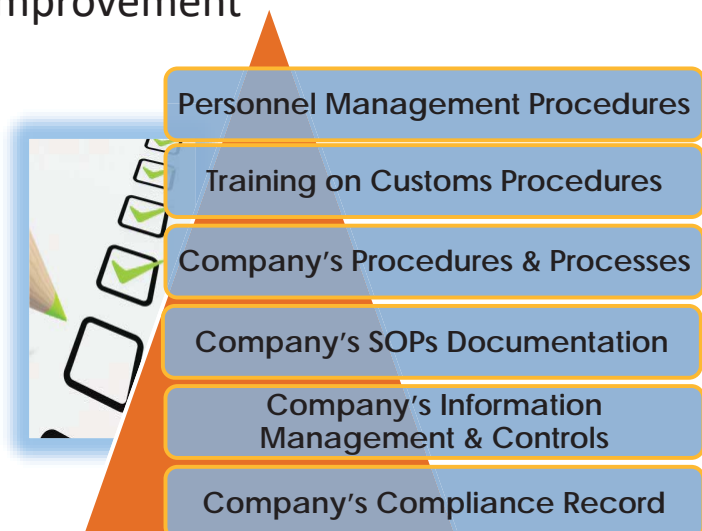
Non-Technical / Non-System measures

b) cont'd

➢ Facilitations in Basic band are available to all traders

➢ Higher bands qualify for facilitations within that band & all the benefits in the lower bands

➢ Higher bands facilitations is accorded due to more robust systems & internal procedures

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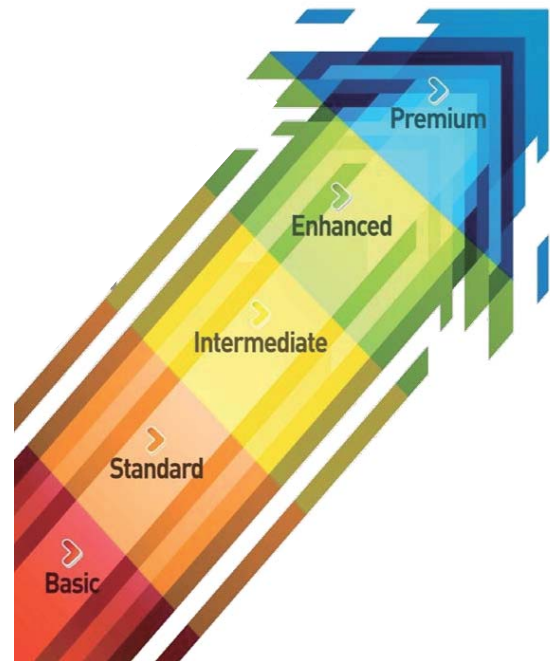
Non-Technical / Non-System measures

c) Raise the competency level of users

• Demonstrates a competent level of proficiency
• Improve accuracy and completeness of submitted information

Provide Training

Provide e-learning

Non-Technical / Non-System measures

c) cont'd

Conduct Competency Test

What Customs Permit to declare?

Thank you

Single Window Solutions to Ensure Sustainability and Interoperability

17 August 2017

Ho Chi Minh City, Viet Nam

Sangwon Lim

Trade, Investment and Innovation Division

United Nations ESCAP

1

Single Window Sustainability & Interoperability

Overcoming certain challenges in implement a Single Window helps making it sustainable and interoperable

Implementation Planning

Political Commitment

Business Model

Technical Interoperability

Legal Compatibility

Change Management

...

2
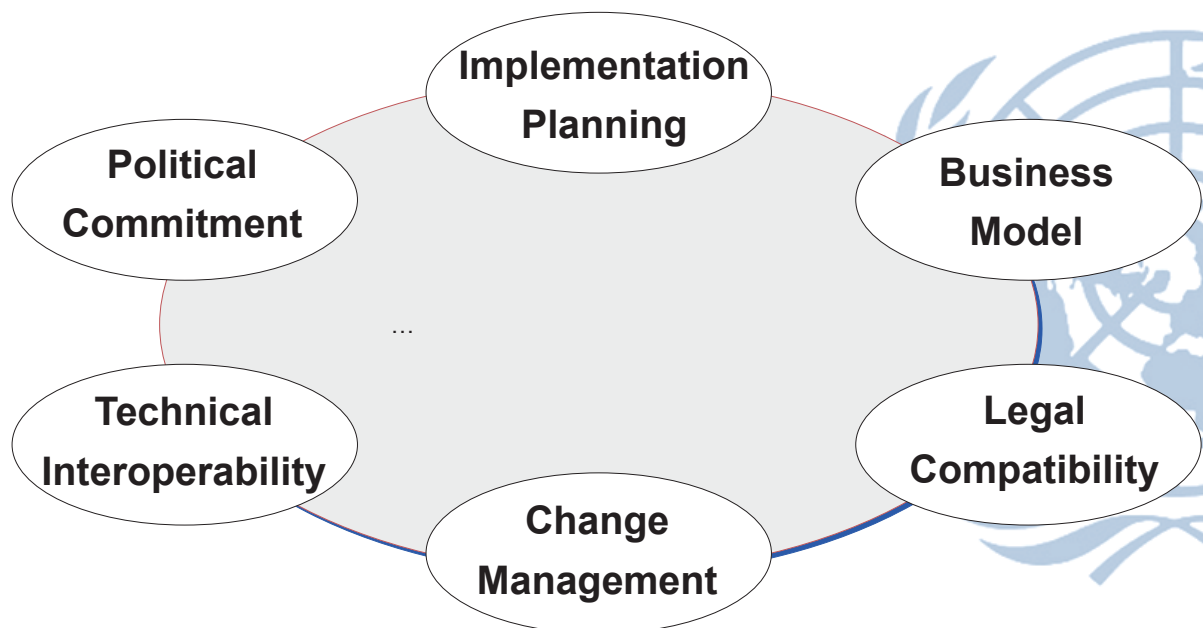
User Perspectives on Advancing Single Windows: Case of Republic of Korea

Value		Percent
Cross border exchange of electronic trade Documents (e.g. Certificate of Origin, SPS, CITES, B/L, L/C, etc.)		55.0%
Trade regulatory and compliance information of other country		22.5%
Trade financing (or supporting) service		27.5%
Trader directory service		22.5%
Certification on export or import record of traders		35.0%
Trade analysis or Business intelligence service		12.5%
Other(s)		2.5%

Source: Survey outcome from ESCAP study on regional best practices of Single Windows, 2017 (Unpublished)

Furthering Single Window Beyond Borders

Initiatives for facilitating cross-border trade data exchange in the region and beyond

International Supply Chain Integration

Legal and technical barriers in information exchange (across borders)

Increased implementation of (national) single window and paperless trade systems, but…

Rise of regional and global production networks

Need for cross-border paperless trade

Enabling Single Window Interoperable across Borders: Challenges
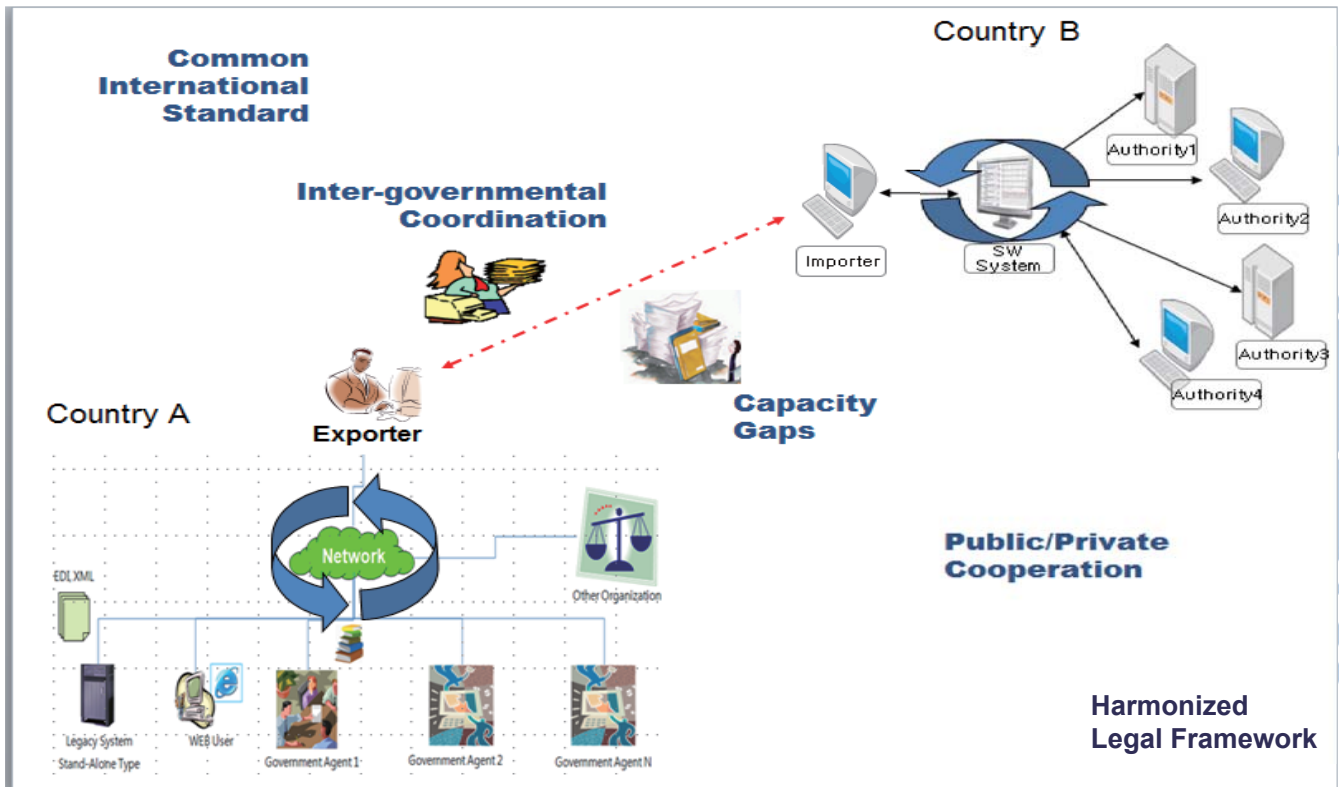
5

Regional Initiatives and Single Window Sustainability and Interoperability

Commitment to regional initiatives helps your Single Window become more sustainable and interoperable.

APEC Asia-Pacific Economic Cooperation	APECs Single Window Vision https://www.apec.org/Press/Features/2009/0701_Progressing_APECs_Single_Window_Vision
ASW ASEAN SINGLE WINDOW Trade Facilitation for the ASEAN Economic Community	ASEAN Single Window http://asw.asean.org/
EAEU Eurasian Economic Union	Eurasian Economic Union Single Window http://www.eurasiancommission.org/en/nae/news/Pages/25-04-2017.aspx
PAA.net Pan Asian e-commerce Alliance	Pan Asian e-Commerce Alliance www.paa.net
	Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific http://www.unescap.org/resources/framework-agreement-facilitation-cross-border-paperless-trade-asia-and-pacific

6

Potentials of Emerging ICTs for More Sustainable and Interoperable Single Window

Internet of Things (IOT)	• Facilitate ubiquitous interaction • Facilitate real-time tracking and tracing of cargoes
Big Data	• Enhance better decision-making in selectivity and risk management
Cloud Computing	• Facilitate ubiquitous service (service availability anywhere and anytime) • Facilitate user-driven service creation
Artificial Intelligence (AI)	• Enhance better decision-making in selectivity and risk management
Block Chain	• Enhance security and integrity of data and information exchange, including financial data

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Thank you

www.unescap.org/our-work/trade-investment/trade-facilitation

unnext.unescap.org

UNITED NATIONS
ESCAP

APEC Workshop on Single Window Report
17 August 2017
Ho Chi Minh City, Viet Nam
New World Saigon Hotel

The United States, with support from Viet Nam Customs and the APEC Secretariat, conducted a one-day workshop focused on Single Window Systems (SWS), with representatives from customs agencies and ministries, the private sector, and international organization stakeholders. The workshop was held in Ho Chi Minh City, Viet Nam on the margins of the SOM3 meetings on August 17, 2017. The dialogue was diverse and ranged from discussion on the building blocks of SWS to specific ways that they impact economies through facilitating trade and enhancing economic competitiveness. The one-day event attracted approximately 75 participants (approximately 60 percent male and 40 percent female) and was conducted in the form of five sessions on topics that explored fundamental aspects, engagement with private sector stakeholders, and strategies/steps to take for establishing and maintaining effective SWS into the future. The session was organized with government-only sessions in the morning and sessions including private sector participants in the afternoon.

Overall feedback from the participants indicated that the workshop had provided vital information, tools, and dialogue to assist with implementation of their respective SWS. Panel 4 and 5 received the most feedback in terms of providing useful sharing of information and experiences between customs authorities and the private sector. One of the outcomes noted from the evaluation was that the course length could have been longer, indicating the need and interest in continuing to focus and pursue discussion on Single Window in APEC. Key aspects of each panel are noted below:

Session One - "Building Blocks of Single Window Systems"

The United States moderated a session that included the World Customs Organization (WCO), Viet Nam Customs, U.S. Customs and Border Protection (CBP), as well as the United Nations, Economic and Social Commission for Asia and the Pacific (ESCAP). Presenters spoke about the basics and necessary building blocks to implement and develop a productive SWS and how it ultimately strengthens border security through a more informed risk management approach and more predictability in the supply chain. Some key themes that were identified as critical building blocks were political will, financial resources and appropriate training, process and coordinated border management, innovation in business process, engagement with stakeholders and maintaining transparency, utilizing international standards and tools, flexibility and maintaining openness to respond and adjust based on needs, ongoing assessment and evaluation, importance of legal framework, and the identification of business models to identify the best way to address technical issues. The WCO presented on the holistic governance approach to SWS and highlighted the regular misconception that SWS are only an information technology product, while also referencing the essence of coordinated border management (CBM) coming first through the fundamental SWS efforts. The WCO also spoke of an interactive SWS map that they are currently developing to more readily show the comprehensive SWS component developments across the globe at the detailed national level, in addition to the WCO Single Window Compendium, a 470-page useful reference tool for economies to utilize for development and implementation.

Session Two - "Data Quality and Security"

The United States moderated a session that included the World Customs Organization, as well as the Customs administrations of Mexico, Singapore and Korea. During the dialogue, Mexico provided an overview in their efforts on how best to manage data and outlined the importance of the quality and security of data. Whereas Singapore outlined their historical SWS developments, which emphasized the important need for accuracy, security, completeness, timeliness and integrity in data to be used and gave measures and tools to use to ensure the quality through technical and non-technical means. Korea also gave insights into how their customs administration maintains data quality and integrity, outlining specific layered defense strategies, by giving details of their E-clearance integrated control center structure, and how it safeguards their data. They noted that outsourcing was an option to optimize effectiveness. The discussion also outlined the need for confidentially in the voluminous data being dealt with in the region.

Session Three - "Single Window to Facilitate Trade and Economic Competitiveness"

The World Customs Organization moderated a session that included ESCAP, CBP, the United States Council for International Business (USCIB) and the Peru Ministry of Foreign Trade and Tourism. One of the key messages outlined was that SWS should be implemented after business process engineering and should be developed according to the respective economy size and need. Also during this discussion a focus was placed on the benefit of SWS through increased trade, and it was made clear that time and costs were saved though SWS. Benefits were also derived from paper reduction and enhanced compliance that are direct outcomes of the implementation of a SWS. This results in tangible cost and economic benefits to the economy. The private sector noted benefits from their perspective, one of which was greater predictability and the huge benefit that this provides for business, as well as for government processing aspects. Also mentioned was the need for testing and pilots, as well as messaging and a multilayered communication strategy. Peru gave interesting insights into their SWS and highlighted the Pacific Alliance (which includes Peru, Mexico, Chile and Colombia). They also provided examples of the interesting and inspiring work and benefits of that group. The moderator highlighted that SWS were a means to optimize trade facilitation and "not a means to an end" in its development alone. Developing SWS would lead to effective transition to a more enhanced digital economy and also serves as a means for implementation of larger and more comprehensive national economic policies.

Session Four - "Streamlining Processes: Addressing Challenges from the Private Sector"

The USCIB moderated a session that included UPS, Asia Pacific and DHL Express Vietnam, which focused on private sector perspectives and challenges. The session discussion began with outlining the huge trade volumes throughout the Asia Pacific region, which necessitated the need for automation and to improve efficiency and decrease backlogs in the clearance process. Examples included how SWS could improve efficiency through efforts that focused on close communication to increase trouble shooting. DHL described their local experience in Viet Nam and noted recent improvements. Recommendations in general were to focus on simplifying procedures, avoiding overlaps, and to move forward with full automation. Other key

recommendations were to develop contingency plans and continue to secure political will for SWS developments. A key link was made to the WTO Trade Facilitation Agreement (TFA) and how SWS will ultimately facilitate and assist with overall TFA implementation of the various articles. Multiple mechanisms to solicit input from the private sector were also highlighted. The use of global standards and tools to assist with implementation and the fundamental need to have a good risk management process was noted. One key challenge identified by the panel was the delays that are associated to agencies other than Customs (i.e. Other Government Agencies - OGA). Political will was again emphasized and the fact that this needed to be applied more fully to prevent other ministries from too slow of a "take up" of the SWS initiative. The most important benefit for business, from their perspective, is maximum predictability which can also be a huge value to governments from an operational perspective.

Session Five - "Single Window Solutions to Ensure Sustainability and Interoperability"

The United States moderated a session that included ESCAP and the Customs administrations of New Zealand and Japan. Examples provided showed the essential value to be gained through enhanced interoperability that benefits both the government and private sector. The ESCAP panelist highlighted sources of information on a wide range of regional initiatives that could also be studied. Political leadership and coordination were outlined as key features of lasting improvements. Japan and New Zealand very effectively showed how they navigated IT, policy and technical improvements and upgraded their systems, over the course of several years, to deliver reliable and permanent solutions that delivered high quality SWS service to stakeholders.

Conclusion:

It was concluded that Single Window has been on the agenda of the SCCP and APEC for many years, but it was still uncertain where this topic was headed given that SWS varied significantly throughout the Asia Pacific region. It was surmised that continuing contributing factors included how the WTO Trade Facilitation Agreement notably includes national SWS development and is therefore a strong signal of its importance to that instrument and the overall implementation of its various articles. Other notable factors for SWS include performance measurement being more important for all stakeholders in the government and private sector, the need to keep ever increasing amounts of global trade flowing as freely as possible, the need for this effort to be a shared endeavor, as well as the overall need for international standardization. Also notable were variables that will continue to play a significant role in how SWS are developed and implemented going forward. The next steps will be to continue to measure and work towards reaching the aspirational goal of full APEC implementation of Single Window's by 2020. Guideline development and ensuring access to global standards and tools, such as the WCO Single Window Compendium, are all mechanisms towards moving closer towards full APEC implementation of SWS that can be utilized by APEC economies. This discussion and focus on economy's specific needs for assistance will continue going forward in the SCCP dialogue.

Draft AGENDA
2017 APEC CUSTOMS-BUSINESS DIALOGUE (ACBD)

August 22, 2017
Sheraton Hotel, Ho Chi Minh City, Viet Nam

Finding the Balance between Trade Facilitation and Secure Trade: shared goal in a safer world trade regime

(*As of 21st August, 2017*)

08:30 – 09:00	Registration of Participants
OPENING REMARKS	
09:00 – 09:10	Welcome participants and deliver the opening remarks **Dr. Vu Ngoc Anh** Deputy Director General, General Department of Viet Nam Customs SCCP Chair
09:10 – 09:20	Deliver a speech from VCCI **Mr. Tran Ngoc Liem** Deputy Director General of Viet Nam Chamber of Commerce and Industry-HCM Office
PHOTO SESSION	
09.20 - 09:25	Photo group for all participants
SESSION 1: Promoting Connectivity for Trade Facilitation	
09:25: 10:25	Introduction by the moderator **Mrs. Lee Ju Song,** Executive Director**,** International Chamber of Commerce, Regional Office, Asia
	Efficiency of Technology application and Single window in Trade Facilitation **Mr. Naoki Ida** - Director for Technical Cooperation, Customs and Tariff Bureau, Ministry of Finance, Japan
	The concept of national trade platform and global connectivity **Mr. Chong Kok Keong –** Chief Executive Officer (ABAC Member from Singapore).

	Closer Customs-Business Partnership for Greater Trade Facilitation **Mrs. Lee Ju Song,** Executive Director**,** International Chamber of Commerce, Regional Office, Asia
	APEC Supply Chain Connectivity Framework Action Plan: Phase I and Phase II **Mr. Akhmad BAYHAQI-** Senior Analyst, APEC Secretariat, Policy Support Unit
	Facilitating Private Sector participation in international trade **Mr. Raymond Yee** - Representative of Conference of Asia Pacific Express Carriers (CAPEC)
10:25 – 10:45	**Discussion**
10:45 – 11:00	**Coffee break**
SESSION 2 : Conducting closer cooperation with the Private Sector to enhance trade security	
11:00 - 11:45	Introduction by the moderator **Mr. David Dolan**, Director of International Organizations and agreements, the U.S. Customs and Border Protection.
	Risk management import and export enterprises in customs operations **Mr. Bui Thai Quang**- Deputy Director of Risk Management Department- General Department of Viet Nam Customs
	Facilitating growth and managing risk in e-commerce **Mr. Marcus Bartley Johns** - Senior Trade Specialist, Trade and Competiveness Global Practice, World Bank
	Cross border e-commerce The importance of the private sector in establishing safe and efficient trade **Mr. Alfred Pang**, Customs Director, DHL e-Commerce Asia Pacific.
	Promoting Cooperative channel between private sector and customs for trade secure. **Mr. Herbert A. Cochran**-Senior Director, Trade Facilitation, Amcham Viet Nam
11:45 -12:15	**Discussion**
WRAP UP and CLOSING	
12:15 -12:30	Key points and highlights of 2017 APEC Customs - Business Dialogue **Dr. Vu Ngoc Anh** SCCP Chair

APEC Public Private Dialogue (PPD) on Rules of Origin
22nd August 2017
Saigon Prince Hotel (Grand Prince Suite)

Programme	
2.00-2.30 pm	**Registration**
2.30-2.40 pm	**Welcome Remarks** *To provide an overview of the PPD's objectives, highlighting some of the key questions and challenges in the area of ROO that will need to be addressed, in order for the eventual realization of an FTAAP.* • Ms Marie Sherylyn Aquia, CTI Chair • Ms Chan Kah Mei, Deputy Director, Ministry of Trade and Industry, Singapore
2.40-3.30 pm	**Panel 1**: **Opportunities for Rules of Origin** *There are many opportunities to advance trade facilitation under the Rules of Origin such as through innovative product specific rules that reflect modern global value chains.* *The first panel, comprising speakers from the government as well as private sector, will discuss the opportunities in negotiating and implementing ROO. This may include best practices in negotiating, utilizing as well as implementing not only the product specific rules, but also origin procedures, under various existing FTAs. This sharing of experiences will give glimpse into some of the convergences and divergences of some of the FTAs involving APEC economies.* **Q&A** **Speakers:** • Ms Allex Evans, policy analyst, New Zealand Customs • Mr Garry Pang, Deputy Head, Singapore Customs • Ms Tatyana Kosheleva, Senior Lawyer, Chelpipe • Mr Tan Juan Fook, Trade Policy lead, Ernst and Young **Moderator:** Mr Bryan Clark, Director, Australian Chamber of Commerce

3.30-4.20pm	**Panel 2**: **Challenges faced in negotiating, utilizing as well as implementing ROO**
	This session will focus on the challenges faced by government officials in negotiating and implementing ROO, as well as the private sector in utilizing ROO. Speakers will touch on some of the common challenges faced in these areas and exchange views on possible ways forward to address these challenges.
	Q&A
	Speakers: • Ms Sazatul Faeza, Principal Assistant Director, Ministry of International Trade and Industry (MITI), Malaysia • Mr Song Yankui, Deputy Director, General Administration of Customs, China • Ms Lilian Lee, Manager, Petrochemical Corporation of Singapore • Ms Yoko Uenoyama, Chief (Trade Issues), Panasonic Corporation
	Moderator: Ms Allex Evans, policy analyst, New Zealand Customs
4.20-4.35 pm	**Coffee Break**
4.35-5.35 pm	**Panel 3: What do we want to see under an eventual FTAAP and how do we get there?**
	In this session, speakers will reflect on the opportunities and challenges discussed in earlier sessions, and translate these into their "wish-lists" for ROO under an FTAAP. Speakers will touch on possible approaches, as well as avenues to achieve this under an FTAAP. On the convergences and divergences between existing FTAs highlighted in earlier sessions, speakers will reflect on what APEC can do to narrow the gaps identified. This would include discussions of possible approaches to capacity building, and how these can help all economies prepare for an FTAAP.
	Speakers: • Ms Mary Elizabeth Chelliah, Principle Trade Specialist, Ministry of Trade and Industry, Singapore • Mr Song Yankui, Deputy Director, General Administration of Customs, China • Mr Tan Juan Fook, Trade Policy Lead, Ernst and Young

	• Mr Bryan Clark, Director, Australian Chamber of Commerce **Moderator:** Mr Benjamin Tan, immediate past APEC Market Access Group (MAG) Chair
5.35-6.00 pm	**Q&A**
6.00-6.20 pm	**Wrap-up**

Summary report
Public Private Dialogue on Rules of Origin (ROO)
22 August 2017

Overview

1.   Singapore held a self-funded Public Private Dialogue on Rules of Origin (ROO), at the margins of the Sub-Committee on Customs Procedures (SCCP) meetings in Ho Chi Minh City, on 22 August 2017. The PPD was co-sponsored by Australia and New Zealand. Under the Lima Declaration, which was endorsed by Leaders in 2016, economies agreed to embark on work programs in areas including Rules of Origin (ROO). While much work has been done by APEC in the past on ROO, in areas such as self-certification, amidst the backdrop of changing business realities as well as the rise of modern global supply chains, it was recognized that more had to be done to keep the pace in advancing work in ROO. The objective of the PPD was to build on APEC's past work on ROO, to facilitate the exchange of best practices and identify the areas where more work still needs to be done.

2.   In her opening address, the CTI Chair, Ms Marie Sherylyn D Aquia noted that work was not exclusive to the discussion of the FTAAP, but also on APEC efforts on regional economic integration, trade facilitation and competitiveness. APEC was therefore confronted with the challenge of ensuring that ROOs are kept simple and made more business-friendly to decrease business transaction costs; thereby incurring fewer expenses that more often than not are passed on to consumers

3.   The PPD comprised of three panel discussions, with speakers from both the private sector as well as government. Over 40 participants representing 14 APEC economies attended the dialogue.

4.   Overall, the workshop generated good discussion on the challenges faced in utilizing and implementing ROO, as well as the opportunities under a potential FTAAP. Some of the key challenges mentioned were (i) balancing trade facilitation and free-riding, (ii) lack of understanding of ROO utilization by the business community, and (iii) navigating the spaghetti bowl of rules under the various overlapping FTAs in the region. Opportunities identified included (i) greater transparency and early consultations with businesses during FTA negotiations, (ii) simple documentary proof, including not requiring listing FOB value on Certificates of Origin, and (iii) reflecting business realities, such as regional distribution centres.

Panel 1

5.   The first panel, comprised speakers from the government as well as private sector:

- Ms Allex Evans, policy analyst, New Zealand (NZ) Customs;
- Mr Garry Pang, Deputy Head, Singapore Customs;

- Mr Tan Juan Fook, Trade Policy lead, Ernst and Young;
- Ms Kosheleva Tatyana, Senior Lawyer, Chelpipe;
- [Moderator] Mr Bryan Clark, Director, Australian Chamber of Commerce.

6.   They discussed opportunities in negotiating and implementing ROO. Speakers also gave insights into best practices in negotiating, utilizing as well as implementing not only the product specific rules, but also origin procedures, under various existing FTAs. This sharing of experiences gave insights into some of the convergences and divergences of some of the FTAs involving APEC economies.

7.   Allex Evans of NZ Customs shared NZ's 10 guiding principles for the negotiation of trade facilitative ROO[1], discussed New Zealand's preference for self-certification as evidence of origin, and spoke on the advantages of CTC over RVC Rules. Evans also shared how NZ Customs was supporting the private sector through various outreach efforts.

7.   Garry Pang of Singapore Customs shared that in Singapore's case, FTAs have been instrumental in helping businesses strengthen cross-border trade with Singapore Customs playing a role in educating the business sectors on the rules of origin as well as enhancing traders' understanding of qualifying criteria to reduce compliance issues.

8.   Tan Juan Fook of E&Y spoke on the increasing role being played by Regional Distribution Centres; the importance of being clear in what is involved in Third Party Invoicing – that 3PI should not be limited to just three parties. Tan also spoke on the treatment of non-originating materials.

9.   Tatiana Kosheleva spoke on the Steel and Pipes industry of which she is involved in. Kosheleva spoke of the problems of setting the ROO criteria within the FTA where her company had the experience where FTAs were used to circumvent antidumping and other trade defense measures. Kosheleva also shared that the FTA between Vietnam and the EAEU included development of electronic verification system of goods origin.

Panel 2

10.   The second panel discussed the challenges faced by industry and customs officials in utilizing and implementing ROO respectively. The panel comprised:

- Ms Sazatul Faeza, Principal Assistant Director, Ministry of International Trade and Industry (MITI), Malaysia
- Mr Song Yankui, Deputy Director, General Administration of Customs, China
- Ms Lilian Lee, Manager, Petrochemical Corporation of Singapore
- Ms Yoko Uenoyama, Chief (Trade Issues), Panasonic Corporation
- [Moderator] Ms Allex Evans, Policy Analyst, New Zealand Customs

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[1] These are (i) Acknowledge substantial transformation; (ii) Be Neutral; (iii) Be pro-competitive; (iv) Be forward looking; (v) Be simple (vi) Impose minimum compliance costs; (vii) Be coherent; (viii) Be certain; (ix) Be enforceable and easy to administer; (x) Reflect international trends

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11.   Ms Faeza shared the challenges in implementing ROO, from the perspective of Malaysia's issuing authority. She highlighted five key challenges faced by Malaysian Customs, namely (i) operational issues, (ii) implementation of domestic laws vs FTAs, (iii) lack of awareness by the business community on ROO, (iv)rules that reflect specific process of as well as (v) text interpretation.

12.   Mr Song introduced China's electronic data exchange system, which China has with seven of its FTA partners. This system was one avenue through which China Customs simplified the documentation process. Mr Song noted that the main challenge for issuing authorities was balancing the facilitation of free trade with the prevention of free-riding.

13.   Ms Lee shared some of the unique challenges faced by the chemical industry in utilizing ROO. She explained that downstream chemical companies faced difficulties in exporting products under the Regional Value Content (RVC) rule. Given accounting cycles, upstream companies would only know whether they have met the specified RVC threshold at the end of the month, which would mean that downstream companies would have to incur the cost of storage should their clients require an earlier shipment. It was for this reason change in tariff classification (CTC) as well as chemical process rules were more consistent and reliable pathways to origin.

14.   Ms Uenoyama spoke on the challenges faced by Japanese companies in utilizing ROO. She shared that navigating the spaghetti bowl of rules under the various overlapping FTAs was a very burdensome process for traders. She noted that one solution to this would be a mega-FTA, such as the TPP, RCEP or FTAAP. However, should such mega-FTAs have higher tariff rates or stricter ROOs than existing bilateral FTAs, then they would be of little use. Ms Uenoyama added that other challenges included lack of harmonization for classification and meeting the requirements of direct consignment. Traders often had to use different HS classification for export to different markets, and certain parties required a certificate of non-manipulation for direct consignments, which was costly and cumbersome to obtain. Ms Uenoyama's recommendations to address these challenges included (i) an "easy-access" database for ROO and tariff information, (ii) prompt advance rulings, (iii) no FOB requirements in Certificates of Origin (COs) and; (iv) simplifying documentation.

15.   During Q&A, a participant commented that a common misconception was that only SMEs faced difficulties in complying with ROO and he was therefore surprised to hear from the panel that large companies also faced challenges. He suggested that companies actively provide feedback before negotiations commence.

Panel 3

16.   The third panel reflected on the opportunities and challenges raised in the earlier sessions, and translated these into a "wish-list" for ROO under an FTAAP. Speakers touched on possible approaches as well as avenues to achieve this under an FTAAP. The panel comprised:

- Ms Mary Elizabeth Chelliah, Principle Trade Specialist, Ministry of Trade and Industry, Singapore;

- Mr Song Yankui, Deputy Director, General Administration of Customs, China;
- Mr Tan Juan Fook, Trade Policy Lead, Ernst and Young;
- Mr Bryan Clark, Director, Australian Chamber of Commerce;
- [Moderator] Mr Benjamin Tan, immediate past APEC Market Access Group (MAG) Chair

17.   Ms Elizabeth Chelliah noted that the "carrot" for traders under an FTAAP would be "something extra", over and above existing FTAs. However, in order to benefit from this preferential status, producers would first need to prove that their goods are originating. As such, ROO needed to be simple and business friendly. Ms Chelliah stressed that if a rule did not reflect business practices, then it was a "wasted" rule. Referring to Ms Lee's earlier presentation, she noted that origin procedures were far more complicated when using RVC rules. As RVC rules were needed in certain instances and therefore could not be completed discounted, APEC need to start discussions on how RVC could be simplified and made more "user-friendly" for all industries. Ms Chelliah added that simple documentary proof helped businesses but how APEC could go about achieving this would be dictated by the pathways to the FTAAP. There were three key pathways to the FTAAP, namely negotiating from scratch, docking and merging, and finally, building onto a "mothership" FTA. She cautioned against turning the FTAAP into a 21 party negotiation and noted that if the FTAAP was built up from a "mothership" FTA, then APEC would have to choose an FTA with desirable ROO. Finally, Ms Chelliah noted that APEC adopted a model measure for FTAs in 2008, and suggested that economies look at the extent to which the points raised during the PPD could be incorporated into this.

18.   Mr Song Yankui shared that his "wish-list" for an FTAAP comprised three "balances", namely striking a balance between (i) tariff preference and compliance cost, (ii) revenue security and trade facilitation, and (iii) free riding and trade facilitation. Mr Song noted that it was difficult to reach consensus on what constituted substantial transformation. For example, dairy products could be classified under a few chapters. He opined that the original intention of ROO was to prevent free-riding. On revenue security, Mr Song noted that from an importing customs perspective, practical and pragmatic implementation procedures were preferable. Finally, Mr Song noted from an exporter's perspective, more liberal rules would be desirable. He opined that in China, most SMEs would prefer if COs were issued free of charge.

19.   Building on the points he made in panel 1, Mr Tan Juan Fook opined that when negotiating FTAs, governments had to ask themselves who the FTAs were intended to benefit. If the answer was businesses,   stressed the importance of having clear provisions on regional distribution centres, as this would provide certainty for companies. Mr Tan also highlighted the need to (i) do away with the requirement of having FOB value on COs, (ii) have a contact point from customs for advance rulings, and (iii) interpretative notes for FTA texts.

20.   Mr Bryan Clarke stressed the need for agreements to be user friendly and reflect business realities. He opined that "In the beginning there was trade, then came government". Mr Clarke noted that contrary to popular belief, self-certification was not always in the best interest of exporters. Self-certification was always discussed in the context of the exporter, but never the importer. Given the liability of certification would be borne by the importer,

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should the system not be robust, importers would face serious penalties, including possible jail terms under Australian law. He noted that it was not legally defensible for an importer to point to the information as coming from the exporter or producer. Mr Clarke shared that his "wish-list" would include (i) consultations with industry during negotiations, (ii) use of international standards, and (iv) digital by default for documentation.

Feedback

21.　　Overall participants found the PPD useful in getting an insight into the challenges and opportunities in ROO. Some participants also wanted subsequent dialogues to look into sectors of interests.

Next steps

22.　　Arising from the points raised during the workshop, Singapore will identify key areas where APEC will need to focus on, in order to realize a potential FTAAP. This will form the basis of the FTAAP workplan for ROO, where Singapore will work with interested economies in organizing initiatives such as seminars and workshops to advance work in the areas identified.

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AGENDA

**Workshop on the Application of Global Data Standards (GDS)
for Supply Chain Connectivity**

Date: 23 August 2017, Wednesday
Venue: Ballroom 2, Saigon Prince Hotel, Ho Chi Minh City, Viet Nam

Time	Rundown
8:45 - 9:00	Registration
9:00 - 9:05	**Opening Remarks** • *Ms Winky So, Deputy Director-General of Trade and Industry, Trade and Industry Department, Hong Kong, China*
9:05 - 9:50	**(I)** **Study on the Application of Global Data Standards (GDS) for APEC Supply Chain Connectivity** This session will release the study results from the tracking, cost-benefit analysis and risk management of GDS pilot projects, and recommend next actions/policy options to enhance supply chain connectivity through GDS, thereby contributing to broader APEC objectives on Connectivity, Global Value Chains, Supply-Chain Connectivity Framework Action Plan and Bogor Goals. • *Mr Akhmad Bayhaqi, Policy Analyst, APEC Policy Support Unit* • *Mr Nick Allison, General Manager Government, GS1 New Zealand*
9:50 - 10:50	**(II)** **Experience Sharing on the Outcome of Pilot Projects** Pilot stakeholders will share their hands-on experiences in participating in the GDS projects, from training to streamlining/enhancement of current operations/processes, capturing data/information and finally realising the challenges and benefits of adopting GDS. • *Ms Lindsay Dickson, Group Export Logistics Manager, Teys Australia* • *Dato' Paul Mak, Interim President, Malaysia Durian Exporters Association* • *Mr Marco Sanchez, Imports/Exports Coordinator, Pernod Ricard Mexico* • *Ms Mary Wong, Deputy General Director, GS1 Peru* • *Moderator: Ms Anna Lin, Chief Executive, GS1 Hong Kong*
10:50 - 11:05	Questions and Answers

Time	Rundown
11:05 - 11:20	Coffee Break
11:20 - 11:40	**(III)** <u>**Case Sharing on Facilitation and Global Data Standards**</u> This session will invite New Zealand to introduce two Australia/New Zealand trials, namely "e-Commerce Green Lane" and "Secure Trade Lane" which adopt GDS to facilitate e-commerce and customs clearance, and to share its knowledge and experiences in related preparation and implementation. • *Ms Allex Evans, Policy Analyst of Trade Access, New Zealand Customs Service*
11:40 - 12:20	**(IV)** <u>**Panel Discussion on Next Steps to Promote a Wider Adoption of GDS**</u> This session aims to exchange views or ideas on how to further promote the adoption of GDS in the APEC region, in terms of linkage (i.e. end-to-end stakeholders, both government and private ones, involved along the supply chain), breadth (i.e. broader application in different products/areas) and depth (e.g. mandatory vs voluntary adoption), and to address related enablers and challenges. • *Ms Allex Evans, Policy Analyst of Trade Access, New Zealand Customs Service* • *Ms Maria Lucana, Supply Chain Specialist, Trade Facilitation Department, Ministry of Foreign Trade and Tourism, Peru* • *Mr Patrik Jonasson, Public Policy Asia-Pacific Director, GS1 Global* • *Moderator: Mr Akhmad Bayhaqi, Policy Analyst, APEC Policy Support Unit*
12:20 - 12:35	Questions and Answers
12:35 - 12:40	**Closing Remarks** • *Mr Justin Allen, Senior Policy Officer, Ministry of Foreign Affairs and Trade, New Zealand*
12:40 - 14:00	Lunch Served

New Zealand Customs Service

Facilitation and Global Data Standards
- a NZ Customs perspective

Ho Chi Minh City, August 2017

NEW ZEALAND
CUSTOMS SERVICE
TE MANA ĀRAI O AOTEAROA

PROTECTING NEW ZEALAND'S BORDER

New Zealand Government

Outline

- Global Data Standards – an overview

- Trade Single Window

- Sharing the New Zealand Experience

    - *eCommerce Green Lane Trial*

    - *Secure Trade Lane Trial*

Global Data Standards [GDS]

- Data is exchanged to move goods along a supply chain.

- Currently a lot of duplication of effort - data provided several times through the supply chain.

- GDS ensure communications are intelligible among different systems – and mitigate non-tariff barriers.

- We have a range of global standards - HS Code, WCO Data Model 3, GS1 etc.

- GDS improve supply chain connectivity and reduce choke point pressures.

Trade Single Window

- Trade Single Window (TSW) has been developed as part of the Joint Border Management System (JBMS).

- TSW is a SINGLE channel for industry to comply with border requirements.

- Joint Customs/MPI project.

- Uses WCO3 data model: improving the risk and intelligence capacity and providing the basis for new business models in the future.

Australia/New Zealand trials

- eCommerce International Mail 'Green Lane' Trial
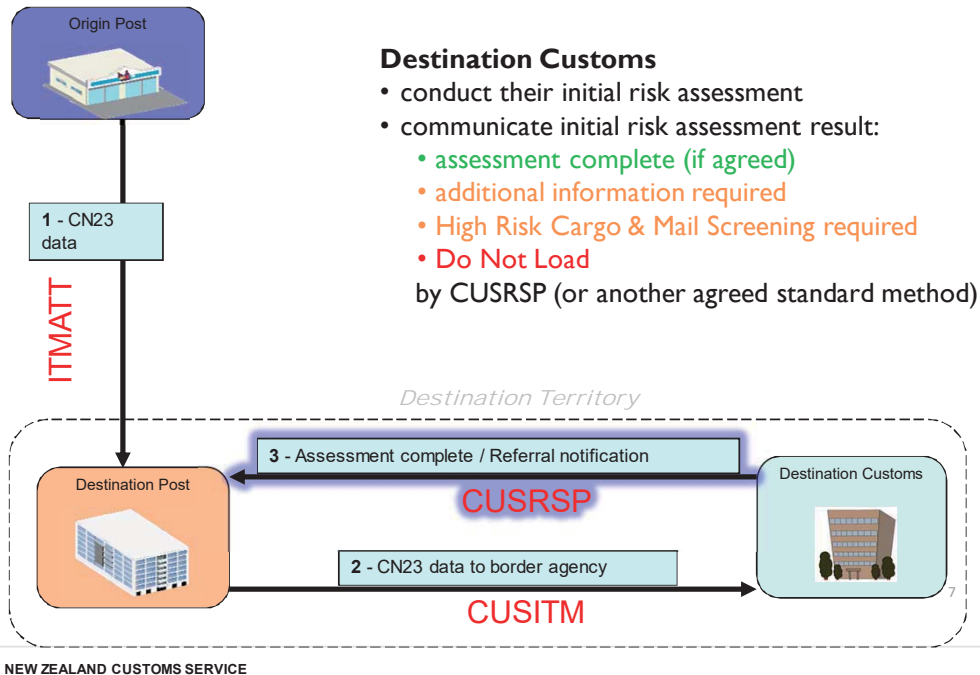
- Secure Trade Lane Proof of Concept

- Both have similar aims and business models

eCommerce Green Lane Trial

- NZ (Customs, MPI, NZ Post) and Australia (Border Force, DAFF, Australia Post).

- Low-value and low-risk goods.

- Test processes that allow the seamless movement of low-risk goods.

- Pre-screened and pre-cleared for domestic consumption.

- Allows resources to be re-directed towards high-risk goods.

Electronic Advance Data flowchart (Global postal model)

Destination Customs
- conduct their initial risk assessment
- communicate initial risk assessment result:
  - assessment complete (if agreed)
  - additional information required
  - High Risk Cargo & Mail Screening required
  - Do Not Load

  by CUSRSP (or another agreed standard method)

Origin Post

1 - CN23 data

ITMATT

Destination Territory

Destination Post

3 - Assessment complete / Referral notification

CUSRSP

2 - CN23 data to border agency

CUSITM

Destination Customs

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NEW ZEALAND CUSTOMS SERVICE

Green Lane trial – staged approach

- Assess eCommerce sellers for risk.

- Test a 'Trusted-operator' type arrangement.

- Access to electronic data.

- Test messaging between customs, biosecurity and posts.

- Separate green lane items pre-departure.

- Identify targeted mail items.

Overview: the Secure Trade Lane

- Two year Proof of Concept between NZCS and DIBP.

- Aims to make trans-Tasman trade more efficient and cost effective for low-risk goods and traders.

- Leverages off AU/NZ MRA.

- Design should be scalable so that it can be expanded to include other goods/traders/MRA partners in the future.

- Proof of Concept trial September 2017 – limited to low-risk (non-permitted) goods, low risk traders (part of our respective AEO programmes).

Proof of Concept Model – Trial 1
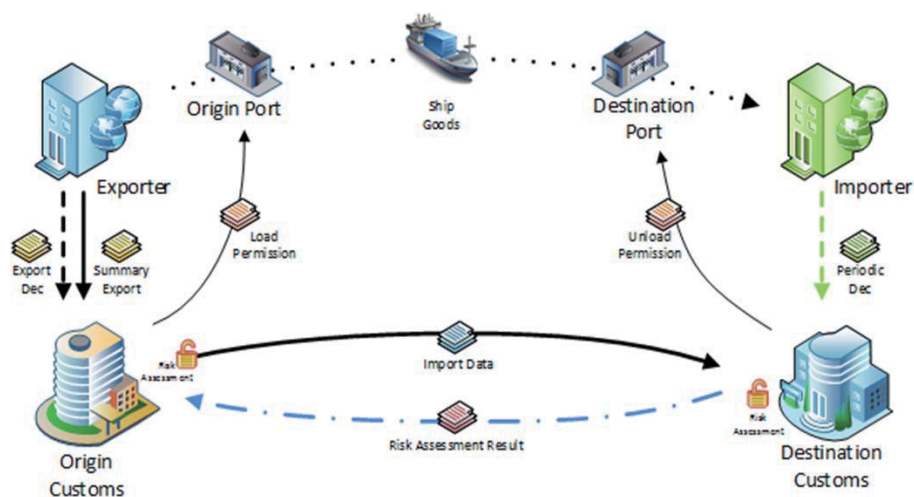
Secure Trade Lanes – Future State

- Joint clearance– the export entry becomes the import entry.

- Industry is required to submit each piece of information to agencies once.

- Industry provides information at the earliest possible point in the supply chain.

- Onus to submit the information on the player in the supply chain best placed to provide it.

- Secure Trade Lane model is scalable.

APPENDIX: SUMMARY OF GDS WORKSHOP DISCUSSION

Workshop on the Application of Global Data Standards (GDS)
for Supply Chain Connectivity
Date: 23 August 2017, Wednesday
Venue: Ballroom 2, Saigon Prince Hotel, Ho Chi Minh City, Viet Nam

The workshop was divided into the following sessions: Study on the applications of Global Data Standards (GDS) for APEC Supply Chain Connectivity; Experience sharing on the outcome of the pilot projects; Case sharing on facilitation and Global Data Standards and promoting wider adoption of GDS.

1.   Study on the applications of Global Data Standards for APEC Supply Chain Connectivity

In this session, Mr Akhmad Bayhaqi from APEC Policy Support Unit discussed the results of Phase 2 GDS Pilot Projects which cover the following products: Asparagus, Durian and Tequila. The three pilots have applied GDS standards such as Serial Global Trade Item Number (SGTIN), Global Trade Item Number (GTIN) and Serial Shipping Container Code (SSCC) combined with interoperable cloud-based EPCIS platforms (such as exTRACK or Mi-Trac) to capture data throughout the supply chain including cargo movement to provide visibility and data sharing to relevant parties, hence enabling on-line and real-time communication among supply chain stakeholders.

The following were the key benefits highlighted by the pilot projects: reduced information search costs; faster and accurate capturing of products information; prevented detention of products; reduced time required for regulatory compliance; improved traceability among stakeholders and the ability to detect missing and forgery products. On the other hand, the application of GDS may involve the following costs: service subscription fees; equipment and software costs; data cleaning and adjustment costs; and staff training. Depending on the firms' adaptation process of using the GDS system, the benefits can be further expanded in the long-term. Once a firm is more familiar with GDS, it can develop more efficient processes for operating the system and potentially reduce the costs further.

However, there are several main challenges to GDS adoption. The main one is the lack of awareness of the possible uses of GDS and the need for stronger justification to change existing systems.

Mr Nick Allison from GS1 NZ reported his findings of exploring how GDS could help improve border risk management. Good risk management systems involve determining risk, undertaking risk analysis and then prioritizing the use of resources such that border agencies can be more efficient in identifying wanted goods and allocating their resources to detect unwanted goods. Benefitting from such a system will require good data management. Problems such as insufficient data, untimely data, entry errors and non-unique data could harm the

efficient inspection process of border agencies. GDS can help to overcome these data problems and make customs inspection more targeted and focused.

As for the next steps, Mr Allison provided the following recommendations:

1. APEC should engage with border agencies to scope business needs and understand how GDS can assist with risk management and rapid border clearance well in advance of GDS pilots
2. Pilots should continue – but pilots need to be led by border agencies or through a private-public partnership
3. Pilots that engage border agencies should focus on:
    i. adding supplemental data to enhance existing agency processes, especially in areas of regular high volume trading
    ii. supporting new agency initiatives such as AEO/trusted trader programmes aimed at faster border clearance, where GDS could substantially enhance agencies processes
    iii. management of high risk/value goods – e.g. traceability and authentication of products

2.   Experience Sharing on the Outcome of Pilot Projects

In this session, pilot stakeholders shared their hands-on experiences in participating in the GDS projects, from training to streamlining and enhancing current operations/processes, capturing data/information and finally overcoming the challenges and realizing the benefits of adopting GDS.

Ms Lindsay Dickson from Teys Australia, highlighted the following key challenges of adopting GDS: application of GDS through manual processes, requirement for conducting a series of manual queries to get the complete supply chain overview, usage of manual-based visibility system and limited EDI capabilities. Ms Dickson reported that adding the web portals functionality of GDS has provided supply chain visibility to interested parties with ease. GDS incorporation also allowed the same data to be uploaded to several different web portals to provide advice on load (visibility) and provide authorities with regulatory information such as E-Cert quarantine, security and food safety. The Meat Messaging Web portal project has provided visibility of supply chain, facilitated clearing of goods at import and at the same time provided information to customers down to carton level of load.

Moving forward, Ms Dickson provided several key suggestions which include recognizing Global Data Standards in regulatory framework, to use uploaded information to verify supply chain integrity, to use information to focus regulatory efforts on exceptions in the supply chains and to use barcodes/SSCC as load identifies in lieu of ship marks.

Dato' Paul Mak from the Malaysia Durian Exporters reported positive results from the GDS Durian Pilot which include the following:

- Overall supply chain visibility improved from 40% to 100%

- Time spent on tracking the goods' position reduced by 98% compared to previous manual tracking
- Serialization combined with supply chain visibility ensured improved anti-counterfeiting mechanism

For the next steps, Dato' Mak suggested the following actions: (1) for APEC to develop guidance on the use of GDS by competent authorities at the border, as part of addressing the APEC supply chain improvements; (2) further guidance on simplification of processes at the border including migration to paperless trade.

Mr Marco Sanchez from Pernod Ricard Mexico, reported the activities of the GDS Tequila pilot tests which involved putting Radio Frequency tags to tequila products in order to trace it all along the logistic flow. Additionally, detection devices were also installed in the logistic-flow sites, including production and distribution warehouses, and highways and customs.

Mr Sanchez explained the following impact of GDS application in the Tequila pilot (among others):

- Process improvement: opportunities for reduced paperwork at Customs in US
- Transit time diminution: 5-day decrease in transit time
- Complete visibility on alcoholic beverages trade: visibility in imports, exports, sales, taxation etc.
- Public health: assuring the consumption of authentic products that comply with each market regulation
- Consumer information: provide on-premise level of consumption information and also provide product information at the retail level.

Ms Mary Wong from GS1 Peru explained about the GDS Peruvian pilot project results and the next steps to be taken. The Asparagus Pilot in Peru has managed to address the following key issues: Traceability/Visibility Data Definition for Risk Management Purposes; Data Mapping Guidelines and Standard Methodology; and Implementation. Moving forward, Ms Wong highlighted the following key findings:

- Visibility is of huge interest for both the private sector and the government in order to avoid duplicative processes
- Interest from Peruvian government to build a unique Integrated Risk Management System based on visibility and GDS, with the active participation of main government agencies including sanitary, agricultural and taxes (electronic invoice), within the Peruvian single window initiative
- Interest in APEC to continue efforts in using GDS to improve Supply Chain Connectivity by having more detailed pilots

3. Case Sharing on Facilitation and Global Data Standards

In this session, Ms Allex Evans from New Zealand Customs Service introduced two Australia/New Zealand trials, namely "e-Commerce Green Lane" and "Secure Trade Lane" which adopt GDS to facilitate e-commerce and customs clearance. Ms Evans explained that Trade Single Window (TSW) in New Zealand is currently progressing in a Joint Customs/MPI project that uses WCO3 data model, aiming to improve the risk and intelligence capacity, and provide the basis for new business models in the future. Ms Evans shared the New Zealand experience in implementing the eCommerce Green Lane Trial and the Secure Trade Lane Trial. The Green Lane trial involved both New Zealand (Customs, MPI, NZ Post) and Australia (Border Force, DAFF, Australia Post) stakeholders who test processes that allow the seamless movement of low-risk goods while enabling resources to be re-directed towards high-risk goods.

Ms Evans also explained the future state of Secure Trade Lanes which may involve a joint clearance where the export entry becomes the import entry; the requirement for industry to submit each piece of information to agencies only once; and for industry to provide information at the earliest possible point in the supply chain.

4. Panel Discussion on Next Steps to Promote Wider Adoption of GDS

This session aimed to exchange views or ideas on how to further promote the adoption of GDS in the APEC region. Ms Maria Lucana from the Trade facilitation Department, Ministry of Foreign Trade and Tourism, Peru, highlighted Peru's plan for the next steps for GDS which consist of the following:

1) To share the results of the APEC pilots with trade associations, logistic operators, public sector and other stakeholders, and to promote best practices on the application of GDS
2) To coordinate at intersectoral level the scope of the project in the application of GDS
3) To evaluate the incorporation of a visibility tool into the Foreign Trade Single Window
4) To consider the use of electronic seals in the project along the supply chain

This session also discussed the possibility of having certain incentives to encourage the application of GDS.

Agenda

Seventh Meeting of the APEC Alliance for Supply Chain Connectivity (A2C2)

August 23, 2017

Queen Hall, Kim Do Hotel, Ho Chi Minh City, Viet Nam

SESSION	
14.00 – 14.15	**Welcome and Opening Remarks** **Mr. Kenneth Schagrin,** Deputy Assistant U.S. Trade Representative for APEC Affairs, Office of the United States Trade Representative, the United States **Ms. Stephanie Henry,** Policy Director, National Center for APEC
14.15 – 15.10	**Update on APEC Supply Chain Capacity Building Projects** Participants will discuss progress made across a number of capacity building programs, and developments since the last A2C2 meeting. *Malaysia's Programs on Advanced Rulings- Outcomes of Ongoing Work, Phase 2* • **Ms. Linda Daugherty,** Trade Facilitation Advisor, US-ATAARI, Nathan Associates Inc. • **Representative,** Royal Malaysia Customs Department *Update on Supply Chain Connectivity Assessment in Viet Nam Implementation: Pre Arrival Processing, Advance Rulings and Expedited Shipments, Phase 2* • **Ms. Linda Daugherty,** Trade Facilitation Advisor, US-ATAARI, Nathan Associates Inc. • **Representative,** General Department of Vietnam Customs *Philippines Project on Expedited Shipments* • **Representative** from Philippines Customs *Hong Kong, China/New Zealand: Application of Global Data Standards for Supply Chain Connectivity.* *Presentation of new capacity building programs* • **Mr. Kenneth Schagrin,** Deputy Assistant U.S. Trade Representative for APEC Affairs, Office of the United States Trade Representative, the United States

15.10 – 15.20	**Update from APEC Subcommittee on Customs Procedures- Key Initiatives** **Mr. Duong Van Tam**, Deputy Director of International Cooperation Department, General Department of Viet Nam Customs
15.20 – 15.50	**Presentation on the Implementation of Supply Chain Connectivity Framework Action Plan 2 (SCFAP II)** The Co-Leads of FOTC on Trade Facilitation and the PSU will give a brief presentation on the status of discussion to develop the Monitoring Framework for the Implementation of SCFAP II, including action plans, targets and the indicators for the measurement of progress under the respective chokepoints through 2020. Singapore, the United States **Dr. Akhmad Bayhaqi**, Senior Analyst, APEC Policy Support Unit *Facilitated Discussion to follow*
15.50 – 16.10	**Coffee Break**
16.10 – 17.00	**Breaking down the Chokepoints: Case Studies from the Region** **Panel Discussion** This session will take the opportunity to hear from private sector representatives in the region on examples of issues related to the SCFAP2 chokepoints and how governments and industry partners are responding to key issues- what's working and where is more work left to be done. Case studies will especially highlight the use of new digital technologies, including e-payment systems and possible application of block chains, in the discussion. Other topics could include examining issues related to the border clearance process of food safety permitting. Moderator: **Ms. Stephanie Henry,** Policy Director, National Center for APEC **Ms. Michèle Auerbach**, Country Manager, 7-Eleven, Inc. **Ms. Fatimah Alsagoff,** Public Affairs Lead for Southeast Asia, Australia & New Zealand, UPS **Ms. Gina Proctor,** Director of Finance, Intel Corporation
17.00 – 17.30	**Next Steps for APEC and Closing** Chairs will summarize discussion, to include proposals for new activities, including those which will seek funding from APEC supply chain connectivity sub-fund, enhanced ways for collaboration as well as next steps for 2018.

Seventh Meeting of the APEC Alliance for Supply Chain Connectivity (A2C2)
August 23, 2017, Ho Chi Minh City, Viet Nam

BACKGROUND & OBJECTIVES

The seventh meeting of the APEC Alliance for Supply Chain Connectivity (A2C2) was held on August 23, 2017 in Ho Chi Minh City, Viet Nam and was attended by more than 44 public and private stakeholders from 17 economies. The meeting served as an opportunity to 1) update A2C2 members on progress made under the capacity building programs underway in Malaysia, Viet Nam, and the Philippines and present new capacity building projects for 2018, 2) explore the implementation of the Supply Chain Connectivity Framework Action Plan (SCFAP2), and 3) offer case studies detailing how the private sector is addressing chokepoints in the region. The meeting immediately followed the Workshop on the Application of Global Data Standards (GDS) for Supply Chain Connectivity, which focused on improving supply chain connectivity through the adoption of GDS by enhancing the efficiency, integrity, visibility and innovation of supply chains, and contributing to better compliance and enhanced risk management of customs and border agencies in the region.

ONGOING/UPCOMING SUPPLY CHAIN ACTIVITIES AND GLOBAL EFFORTS

Much of the discussion focused on robust progress made by economies in implementing projects under the APEC supply chain capacity building sub-fund. First, USAID's US–APEC Technical Assistance to Advance Regional Integration (US-ATAARI) activity provided an overview of Malaysia's advance rulings project, which is in the midst of implementing Phase 2, focusing on the development and enhancement of a binding origin rulings program. Results of the ongoing program include Malaysia's implementation of a number of recommendations made by the US-ATAARI 2016 assessment report, including completion of a draft legal act to authorize issuance of binding rulings on preferential origin, a draft standing order setting out internal procedures, instructions and forms, and the creation of a rules of origin unit within Malaysia's customs department. Additional support via the APEC project will be provided to enhance public private dialogue and awareness of the new program in the coming months.

US-ATAARI also updated members on the Viet Nam program, which focuses on three of the TFA relevant topics of pre arrival processing, expedited shipments, and advance rulings. Recommendations for next steps include further capacity building and increased communication among key stakeholders. Since the last A2C2 meeting, the final assessment report was circulated to members. Moving forward, US-ATAARI will continue to work with Viet Nam to flesh out activities outlined in its action plan as it moves toward phase 2. An emphasis on greater public and private sector engagement will be critical to carrying this work forward. Viet Nam also provided an update from their perspective, and highlighted a previously held workshop emphasizing the importance of cooperation, sharing best practices and capacity building efforts to improve stakeholder engagement and implementation of WTO TFA.

The Philippines provided an update on its program on expedited shipments. In terms of specific progress, following the assembly of a drafting team in late 2016, the Philippines completed draft implementing regulations that are now awaiting approval by the Ministry of Finance. Once this is approved, they will focus on implementation, which will entail capacity building programs for customs officials and development of operating procedures including looking at how to engage IT systems in the new program. US-ATAARI, working under the expedited shipments program, will support these steps.

Hong Kong, China (HKC), and New Zealand (NZ) provided an update on their joint project to promote a wider use of interoperable Global Data Standards (GDS), in particular the self-funded workshop held on the morning of August 23, prior to the A2C2 meeting. During the workshop, the APEC Policy Support Unit reported on the study results of cost-benefit analysis and risk management of pilot projects. Representatives from the public and private sectors of Australia, Malaysia, Mexico, NZ, Peru and HKC shared their hands-on experiences and on-going plans in adopting GDS in their cross-border supply chains. The participating pilot stakeholders expressed that, by providing particularly the traceability of goods flow, GDS would enhance the overall performance of supply chains, in terms of time, cost and uncertainty. There were also fruitful exchanges on possible next steps to promote a wider adoption of GDS in the region by addressing relevant enablers and challenges. Key takeaways include that pilots have shown that while there are costs to GDS, the benefits outweighed the costs of implementation, that there needs to be more engagement between business and policymakers, and that the studies conducted, particularly on cost benefit analysis, would benefit from deeper and longer pilots.

Finally, the U.S. shared updates on three new projects which have applied for funding under the APEC supply chain connectivity sub-fund. Two of the projects are moving on to phase 2 of the expedited shipments and advance rulings. The expedited shipments capacity building project will build on previous work with Philippines and Viet Nam to operationalize recommendations from on the ground work and possibly engage additional economies. The advance rulings project will build on previous work with Malaysia and Viet Nam in order to fully implement article three of WTO TFA. The third project is related to article one of the WTO TFA. This project will undertake technical assistance and capacity building for developing economies working to address these obligations and look at issues on the publication of import and export guides and requirements for duties and taxes.

A FOCUS ON THE CHOKEPOINTS

Singapore and the APEC Policy Support Unit (PSU) presented on the status of the Monitoring Framework for the implementation of SCFAP 2. Singapore noted the Framework is almost finalized, with the only remaining issue of de minimis to be discussed at the Friends of the Chair (FoTC) on Trade Facilitation. Singapore highlighted that there are champion economies for some of the chokepoints, including Australia and Korea on border management issues and the United States on e-commerce. They are open to and looking for volunteers for the other chokepoints. Members engaged in a discussion that focused on the definition of e-commerce and what is included in the definition. Subsequently the APEC PSU explained the process for determining targets under the monitoring framework, which are not broad-based as for SCFAP 1, but instead tailored for each indicator based on progress made from the last few years.

A subsequent session on case studies offered private sector perspectives from 7-Eleven, UPS, and Intel on examples of issues related to the SCFAP2 chokepoints. 7-Eleven highlighted how it is making relationships with suppliers more efficient by using technologies such as electronic ordering. One of the keys to success presented was to ensure ample dialogue with government officials, and to ensure that suppliers were included in those discussions also that all parties are aware of how they are utilizing Combined Distribution Centers (CDCs) and other technologies as well as the impacts on lowered pricing and how consumers get more of the products they want. Next, following a presentation on its cold chain storage pharma port 360 product, UPS highlighted the importance of coordination between

various government agencies within an economy. With more rules around temporary import and export at economy-levels, UPS would be able to facilitate more solutions like cold containers. Finally, Intel shared its progress in working with Viet Nam customs on its Authorized Economic Operator (AEO) program and highlighted some key takeaways, including the need for government to be more proactive in communicating with the private sector. In addition, Intel warned that a lack of collaboration and clear roles of stakeholders involved in supply chains could cause bottlenecks at the border, and that huge data transactions could lead to systems slow down or even shut down. These case studies served as an opportunity for industry members to present innovative approaches to bottlenecks that could help governments better anticipate private sector needs, while also allowing for the opportunity of replication depending on issues in other trade facilitation hubs.

CONCLUSIONS & RECOMMENDATIONS

The U.S. chair noted that several key themes emerged, including: the need for improved predictability, efficiency and clarity of what is required to import and export in the region; the need to reduce time and cost of moving goods; the need to improve interagency coordination and cooperation; the need to streamline procedures; the need for training of customs officials; the need for greater engagement of business and government officials together; and the importance of implementation of WTO TFA.

Throughout the meeting, the U.S. chair emphasized the priorities for the A2C2 in 2017, including a focus on implementation of ongoing capacity building programs where momentum and measurable results are being achieved. The convenors also emphasized the proposals for new work next year, continuing to focus on the nexus with TFA implementation. It is hoped that additional economies step forward to champion relevant issues under the sub-fund. Finally, the chair focused on measurement of progress of the SCFAP II. Moving forward, the chair solicited ideas for measuring improvements in supply chain connectivity in regards to trade facilitation. The chair flagged that A2C2 typically meets twice per year and will work with the 2018 host Papua New Guinea to continue the progress of A2C2, and the critical feedback and input industry partners provide into APEC's supply chain work, both in terms of capacity building as well as examination of innovative and new approaches to grappling with longstanding trade facilitation bottlenecks.

**Asia-Pacific
Economic Cooperation**

TRADEMARK INFRINGEMENT DETERMINATIONS IN A BORDER ENFORCEMENT CONTEXT (CTI 04 2017)

WORKSHOP 1

AUGUST 24, 2017
Grand Suite, Saigon Prince Hotel
Ho Chi Minh City, Vietnam

Co-Sponsored with Canada; Chile; Chinese Taipei; Hong Kong, China; Japan; Republic of Korea; Mexico; Papua New Guinea; Peru; and Viet Nam

Organized by
USPTO Global Intellectual Property Academy
and the Office of the U.S. Trade Representative
in cooperation with
U.S. Customs and Border Protection
with support from the
APEC General Project Account

PROGRAM

8:30–9:00	**Registration**	
9:00–9:15	**Welcome Remarks and Program Overview**	

Daniel Lee, *Deputy Assistant U.S. Trade Representative for Innovation and Intellectual Property, Office of the U.S. Trade Representative*

9:15-10:15   **Session 1:**   **Impact of Trademark Infringement on Brand Owners, Consumers, and Economies**

Moderator: **Charisma Hampton**, *Attorney-Advisor, Office of Policy and International Affairs, USPTO*

Panel: **Loc Xuan Le**, *Principal, T&G Law Firm LLC (Tilleke & Gibbins Vietnam)*

Alvin Lee, *Director, External Relations, Asia-Pacific, LEGO; and Chairman, Southeast Asia Toy Association (SEATA)*

Yen Vu, *Executive, Rouse Legal Vietnam*

10:15-10:45   **Group Photo and Coffee/Tea Break**

10:45-11:45   **Session 2:**   **Role of Customs in IP Border Enforcement**

Moderator: **Charisma Hampton**, *Attorney-Advisor, Office of Policy and International Affairs, USPTO*

Presenters: **Robert Copyak**, *Chief, IPR Policy Branch, Office of Trade, U.S. Customs and Border Protection*; and **Alaina van Horn**, *Attorney-Advisor, IPR Branch, Regulations and Rulings, Office of Trade, U.S. Customs and Border Protection, U.S. Department of Homeland Security*

Saori Nojima, *CCF/Japan Operation Manager and Program Manager for South Asia, World Customs Organization Asia Pacific Regional Office for Capacity Building (ROCB/AP)*

Guy Fong, *Head of Operations, Intellectual Property Investigation Bureau, Hong Kong Customs*

11:45-12:45   **Session 3:**   **Trademark Offices: Making Examination Decisions About Confusingly Similar Trademarks**

Moderator: **Charisma Hampton**, *Attorney-Advisor, Office of Policy and International Affairs, USPTO*

Panel: **Huh Won-Seok**, *Deputy Director of Multilateral Affairs Division, Korea Intellectual Property Office (KIPO)*

Mayra Ramos, *Deputy Director of Distinctive Signs Examination of the Trademark Division, Mexican Institute of Industrial Property (IMPI)*

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Chester Arturo D. Cinco, *Division Chief and Intellectual Property Rights Specialist V TMED III, Bureau of Trademarks, Intellectual Property Office of the Philippines (IPOPHL)*

12:45–13:45	**Lunch**	

14:00-15:00   **Session 4:**   **Customs Agencies: Making Determinations Between Confusingly Similar Trademarks vs. Counterfeits**

Moderator: **Daniel Lee**, *Deputy Assistant U.S. Trade Representative for Innovation and Intellectual Property, Office of the U.S. Trade Representative*

Panel: **Alejandra Muñoz Casanova**, *Customs Enforcement Agent, Chilean Customs*

Alaina van Horn, *Attorney-Advisor, IPR Branch, Regulations and Rulings, Office of Trade, U.S. Customs and Border Protection, U.S. Department of Homeland Security*

Ngan Thu Doan, *Vice Head of Division, Anti-smuggling and Investigation Department, General Department of Viet Nam Customs*

15:00-16:00   **Session 5:**   **Building Effective Relationships Between Customs, Trademark Offices, and the Private Sector**

Moderator: **Daniel Lee**, *Deputy Assistant U.S. Trade Representative for Innovation and Intellectual Property, Office of the U.S. Trade Representative*

Panel: **Yen Vu**, *Executive, Rouse Legal Vietnam*

Robert Copyak, *Chief, IPR Policy Branch, Office of Trade, U.S. Customs and Border Protection;* and **Alaina van Horn**, *Attorney-Advisor, IPR Branch, Regulations and Rulings, Office of Trade, U.S. Customs and Border Protection, U.S. Department of Homeland Security*

Guy Fong, *Head of Operations, Intellectual Property Investigation Bureau, Hong Kong Customs*

Yuan Ru-Yih, *Specialist, Chinese Taipei Customs, Ministry of Finance*

16:00-16:20   **Coffee/Tea Break**

16:20-17:00   **Session 6:**   **Current Developments, Initiatives, and Trends**

Moderator: **Daniel Lee**, *Deputy Assistant U.S. Trade Representative for Innovation and Intellectual Property, Office of the U.S. Trade Representative*

Panel: **Charisma Hampton**, *Attorney-Advisor, Office of Policy and International Affairs, USPTO*

Yusuke Inoue, *Section Chief for Regional Cooperation, Japan Customs*

Robert Copyak, *Chief, IPR Policy Branch, Office of Trade, U.S. Customs and Border Protection;* and **Alaina van Horn**, *Attorney-Advisor, IPR Branch, Regulations and Rulings, Office of Trade, U.S. Customs and Border Protection, U.S. Department of Homeland Security*

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17:00   **Closing Remarks**

             Miguel Angel Margain, *Director General, Mexican Institute of Industrial Property*

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Intellectual Property Rights

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Session 5: Building Effective Relationships Between Customs, Trademark Offices, and the Private Sector

- Robert Copyak
    - Chief, IPR Policy Branch
    - IPR & E-Commerce Division
    - Office of Trade

- Alaina Van Horn (separate slide deck)
    - Attorney- Advisor, IPR Branch,
    - Regulations and Rulings, Office of Trade

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Engagement

Private Sector

- 10 Centers of Excellence and Expertise
    - Account management
    - IPR roundtables
- COAC IPR Working Group
- Information sharing with private sector stakeholders
- E-Allegations

Engagement

National Intellectual Property Rights Coordination Center

- ICE/HSI – Director & Deputy Director
- CBP – Deputy Director
- FBI – Deputy Director
- United States Trade Representative
- Department of Justice
- Department of Commerce
- State Department
- Patent and Trademark Office
- Consumer Product Safety Commission
- International Trade Commission
- Additional 13 Partner Agencies

Engagement (continued)

Bilateral Cooperation with Customs Counterparts

- CBP and General Administration of China Customs joint operations

- CBP and Hong Kong Customs and Excise joint operations

- CBP and Singapore joint operation

Multilateral Cooperation

- In 2016, CBP and eight additional participating **Asia Pacific Economic Cooperation** economies conducted a joint IPR enforcement operation focused on transportation items in 2016, resulting in 59 seized shipments.

- CBP presented an IPR Guidelines Document at the SCCP meeting.

U.S. Customs and Border Protection

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www.cbp.gov/ipr

www.cbp.gov/e-commerce

U.S. Customs and Border Protection

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Session 5:

Building Effective Relationships Between Customs, Trademark Offices, and the Private Sector

Other Customs Agencies

Other Customs Administrations

- CBP participates in the USPTO's Global Intellectual Property Academy (GIPA), a capacity building program to assist other countries in enforcing IP rights, by presenting on border enforcement issues arising in intellectual property protection

- GIPA participants are officials of intellectual property offices of their respective governments, or of the agencies of their governments that are responsible for enforcement, patent, trademark, or copyright policies

- CBP also participates with the Commercial Law Development Program, which is a division of the U.S. Department of Commerce that provides government-to-government technical assistance resulting in meaningful and lasting changes to the legal and business environments of the host countries.

Trademark Office/ Relationship with OGAs

Relationship with USPTO

- CBP IP enforcement is intimately related to the work of the U.S. Patent and Trademark Office, in that recordation can only be obtained for registered trademarks

- CBP often utilizes the USPTO's website and database to assist in enforcing recordations, such as:
    - For information on the legal scope of a trademark;
    - In searching for similar marks; and
    - Researching TTAB proceedings

Relationship with Other Government Agencies

- CBP works with the U.S. Trade Representative's office when they are negotiating a free trade agreement and request our assistance on border enforcement issues arising in the enforcement of IP

- CBP has worked with International Trade Administration in furthering public educational campaigns on the dangers and risk of buying counterfeit goods

- The IPR Center is composed of 22 partners agencies and is headed by CBP's criminal counterparts, U.S. Immigration and Customs Enforcement, Homeland Security Investigations

- IPR Center conducts outreach and training, sometimes soliciting CBP's subject matter experts to participate

Private Sector Engagement: Legal