



# European Union Border Assistance Mission

## TRADE FACILITATION WORKING GROUP MEETING

Chisinau  
12-13 November 2015





# Agenda Day One

9:00 - 9:15	<ul style="list-style-type: none"><li>• Registration</li></ul>
9:15– 9:30	<ul style="list-style-type: none"><li>• Opening and welcoming (the Mission Management)</li><li>• Introduction of participants</li><li>• Approval of the Agenda</li></ul>
9:30 – 9:45 EUBAM	<ul style="list-style-type: none"><li>• Working Group work and its main achievements in the Phase 10 (Dec '14 – Nov '15)</li></ul>
9:45 – 10:00 EU DEL to Moldova	<ul style="list-style-type: none"><li>• EU activities in the area and the perspective of cooperation in the customs issues</li></ul>
10:00 – 10:30 DG TAXUD	<ul style="list-style-type: none"><li>• EU-Moldova and EU-Ukraine customs priority activities under the Association Agreements and the Association Agendas</li></ul>
10:30 – 11:00	<ul style="list-style-type: none"><li>• Coffee break</li></ul>
11:00 – 11.30 MDCS	<ul style="list-style-type: none"><li>• Association Agreement (Chapter 5 - Customs and trade facilitation and Annex XXVI - approximation of customs legislation): current stage of implementation; challenges; current and future technical assistance projects; proposals for next activities under TFWG</li><li>• Discussion</li></ul>
11:30 – 12:00 UASFS	<ul style="list-style-type: none"><li>• Association Agreement (Chapter 5 - Customs and trade facilitation and Annex XV - approximation of customs legislation): current stage of preparations to implementation from 1/01/2016; challenges; current and future technical assistance projects; proposals for next activities under TFWG</li><li>• Discussion</li></ul>





# Agenda

## Day One (continuation)

12:00 – 13:00	Lunch Break
13:00 – 14:15 EUAM, BRITE, AmChams (both to MD & to UA) Odessa Business Forum, GTZ	Presentations of cooperating projects and agencies
14:15 – 14:30	Coffee break
14:30 – 15:30 Lithuanian Customs	<ul style="list-style-type: none"><li>• Simplified Procedures – EU legal basis; Union Customs Code;</li><li>• Simplified Procedures – national implementation</li></ul>
15:30 – 16:00 UASFS and MDCS	<ul style="list-style-type: none"><li>• Simplified Procedures – national legal basis and practical implementation</li></ul>
16:00 – 16:30 Chairman	<ul style="list-style-type: none"><li>• Discussion and next activities</li><li>• Summary and organizational issues for the day two</li></ul>





# Agenda

## Day Two

9:00 – 10:30 EUBAM STE on Simplified Procedures	<ul style="list-style-type: none"><li>• Simplified Procedures implementation – assessment, usage, gaps obstacles and recommendations</li><li>• Panel discussion</li><li>• Outcomes from the panel discussion (10 min)</li></ul>
10:30 – 11:00	Coffee break
11:00 – 12:30 Czech Customs	<ul style="list-style-type: none"><li>• Guarantee system for the free circulation in EU</li><li>• Panel discussion</li><li>• Outcomes from the panel discussion (10 min)</li></ul>
12:30 – 13:30	Lunch
13:30 – 15:30 All agencies involved	<ul style="list-style-type: none"><li>• Panel discussion<ul style="list-style-type: none"><li>- Cooperation in implementation of AA/DCFTA,</li><li>- Assistance to be delivered to the Partners in coming year (discussion)</li></ul></li></ul>
15:30 – 16:00 EUBAM	<ul style="list-style-type: none"><li>• Next activities</li><li>• Conclusions</li><li>• Next meeting topics</li><li>• Closing words (Mission Management)</li></ul>





# Trade Facilitation International Background

## Revised Kyoto Convention:

- transparency and predictability of customs actions,
- standardization and simplification of the goods declaration and supporting documents,
- simplified procedures for authorized persons,
- maximum use of information technology,
- minimum necessary Customs control to ensure
- compliance with regulations,
- use of risk management and audit-based controls,
- coordinated interventions with other border agencies,
- partnership with economic operators

## CONVENTION INTERNATIONALE POUR LA SIMPLIFICATION ET L'HARMONISATION DES REGIMES DOUANIERS (amendée)

Conseil de Coopération douanière  
( Organisation Mondiale des Douanes )

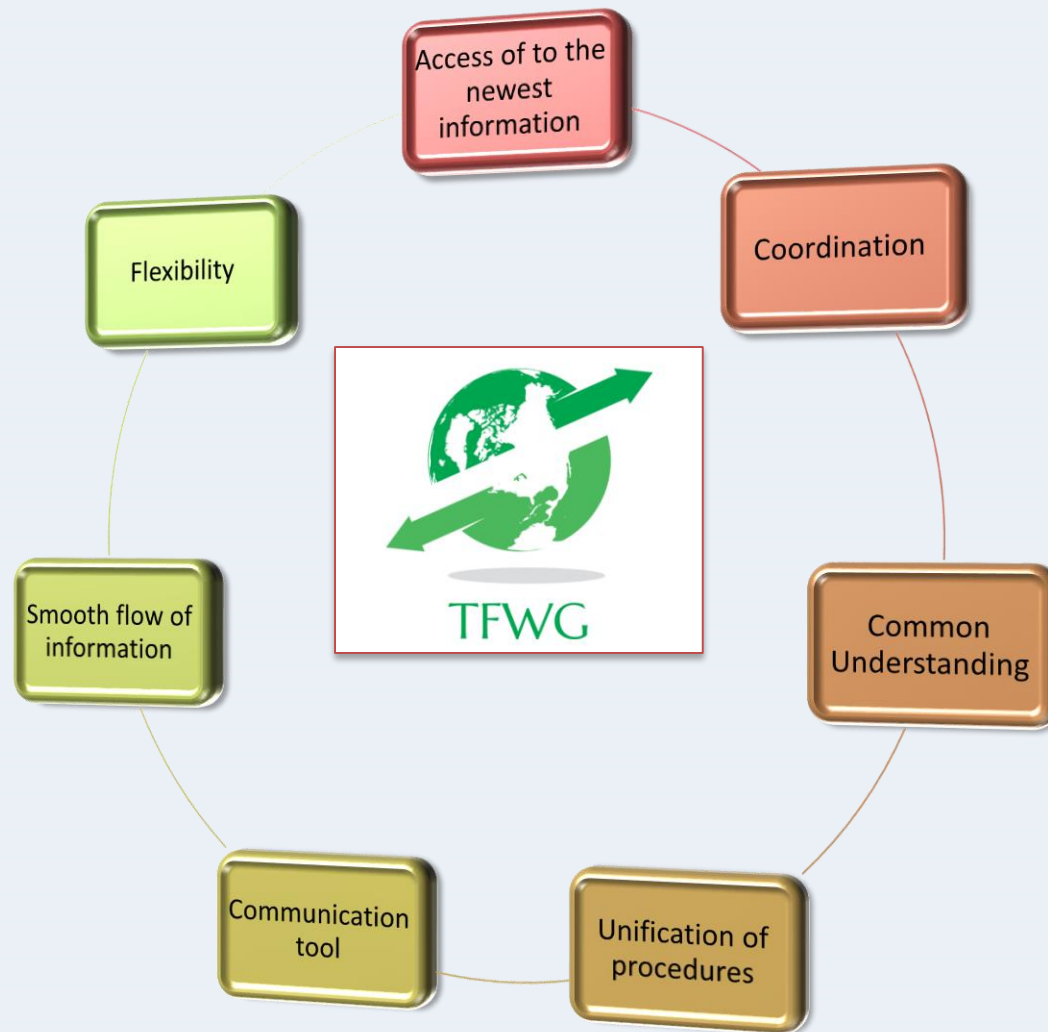
Rue du Marché 30  
B-1210 Bruxelles



## Benefits of the Revised Kyoto Convention

*Tadashi Yasui*  
Research and Strategy Unit





## **SUB-GROUP**

Usually called upon Partner's Initiative

One or both partners involvement

Focused on Particular Problem solution





# TFWG Activities

## POST CLEARANCE CONTROL AND AUDIT

- 1<sup>st</sup> info on current development in PCC/PCA delivered by Czech Post Clearance Control expert on the TFWG Kick-off meeting (April 2015)
- UASFS and MDCS Representatives participated in the Research Visit on PCC/PCA to Czech Customs Administration in Prague and Ceske Budejovice on 1-3 July 2015







# TFWG Activities

## POST CLEARANCE CONTROL AND AUDIT

- The current trends in worldwide customs focused on facilitation of international trade and movement of control from the moment of release of goods to the PCC/PCA, the New EU CC/PCA guidelines, respective processes and advantage of using the PCC/PCA as a modern customs tool was the highlight of the EUBAM organised and hosted WS for 22 Moldovan and Ukrainian Customs experts; Odessa, 9-11 September.
- Delivered by EU Customs experts from Czech Republic, Lithuania and Slovenia





# TFWG Activities

## POST CLEARANCE CONTROL AND AUDIT

### ACHIEVEMENTS

Complete  
information on the  
PCA/PCC delivered

Risk profiles  
exchange launched

Direct communication  
to the EU Experts  
facilitated

### GAPS IDENTIFIED

Official responses from the foreign  
Customs are not respected by the court

Customs have no right to ask bank for info  
on payments made by controlled subject

Payment of the customs debt is  
postponed until the court decision

Cash payment is acceptable

Controlled subject has the right to not allow  
Customs to enter the company and control its  
bookkeeping





# TFWG Activities

## AUTHORISED ECONOMIC OPERATORS (AEO)

- The Czech AEO National AEO Manager delivered presentation on the TFWG Kick-off meeting (April 2015)
- In the course of the Research Visit UASFS and MDCS Representatives visited the Czech AEO National Centre on AEO in Ceske Budejovice—connection between AEO& PCA were stressed







# TFWG Activities

## AUTHORISED ECONOMIC OPERATORS (AEO)

The joint EC/DG-TAXUD - EUBAM support to UASFS in introduction of the AEO Programme peaked in 2015. four AEO events organized in cooperation between EUBAM and EC took place in Poland, Brussels, Germany and Lithuania.



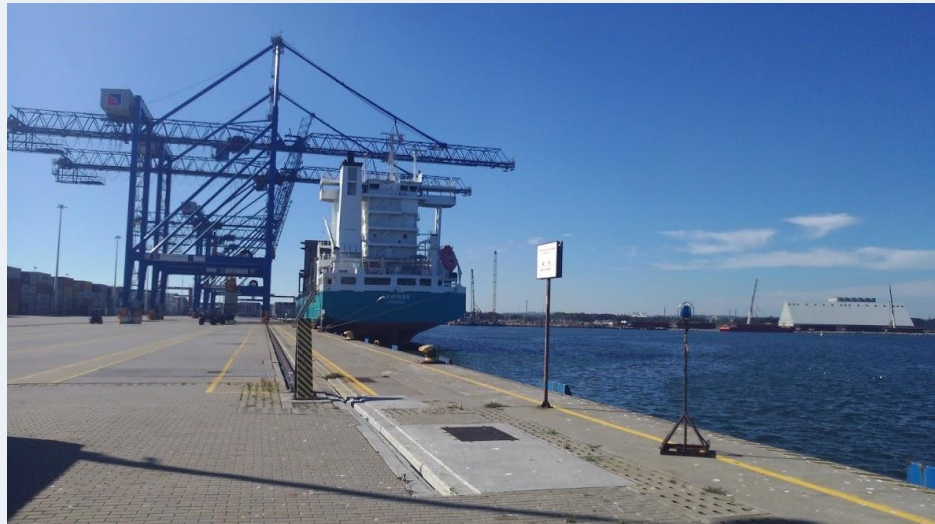


# TFWG Activities

## AUTHORISED ECONOMIC OPERATORS (AEO)

### Poland, Gdynia and Gdansk; 23-24 September.

- checking the application for AEO, risk analysis procedures for the issue of an AEO Certificate for reliable economic operators.
- 2 companies visits; one applicant for the AEO Certification and the other the AEO Certified company—both operating container terminals



### **Belgium, Brussels; 30 September – 1 October.**

- EC/AEO Network meeting; 28 EU MSs UASFS presentation delivered
- noted that the implementation of AEOs, according to the AA/DCFTA in Ukraine, is still in the preparatory stage
- bilateral UASFS - EC/AEO Network meeting. Gaps and measures that determine future tasks and the way forward identified
- EUBAM and the EC/AEO Network cooperation enhanced





# TFWG Activities

## AUTHORISED ECONOMIC OPERATORS (AEO)

- **Germany, Nurnberg; 13-14 October**
- the German Customs AEO structure
- AEO Certificate holders monitoring system
- Schneider Company –on-line monitoring of the AEO security and safety requirements.
- the German- Polish- Lithuanian/Ukraine Twinning project representative on board







# TFWG Activities

## AUTHORISED ECONOMIC OPERATORS (AEO)

### Lithuania, Vilnius; 20-22 October

- AEO certificate issuing procedures
- reporting requirements
- communication with the applicant
- role of the regional customs in the issuing procedure
- monitoring of the AEO Certificate holder
- connections in between the AEO Programme, post clearance audit, simplified procedures and other customs simplifications
- The tangible benefits promoted by Lithuanian Customs & AEO company during the visit of the DHL's Logistic and Customs Warehousing Centre





# TFWG Activities

## AEO

### **TO BE FULFILLED (EUBAM SUGGESTION)**

**EU-Model legislation to be submitted to the UA Verkhovna Rada by the end of this year.**

**EUBAM will monitor and support UASFS in the course of the legislative procedure**

**The Workshop on New EU AEO Guidelines to be delivered to both UASFS and MDCS**

**The New Guidelines and the self-assessment questionnaire to be translated**

**Pilot project to be facilitated and arranged**

**Workshop on Risk Analysis for AEO to be arranged**

**The Mutual recognition Programme to be introduced**

**All above mentioned projects will be delivered under supervision of the EC/DG-TAXUD AEO Network, while the cooperation with other organizations (e.g. Twinning Project, EUAM etc.) is to be considered**





# SUB-GROUP Activities

## Reduction of supporting documents

Rationalizing documents is one of the highlights of all trade facilitation tools such as TF Agreement, WCO guidelines and UNCE TF Implementation Guide - all mirrored in the EU legislation. The number of docs is considered as one of indicators of the trade barrier (part trading across border) in the ranking methodology of the Doing business report delivered yearly by the World Bank.

March 2015 - Following a request from MDCS a written advice on reduction of supporting documents for customs clearance was delivered by EUBAM

April 2015 – EUBAM-MDCS meeting on reduction of docs

April 2015 - MDCS drafted the Governmental decision

May 2015 - Governmental decision on amendment of the Decision No 1140 of Nov. 2<sup>nd</sup>, 2015 issued

August 2015 - EUBAM Monitoring action on implementation of the Decision launched

October 2015 - Letter on monitoring results + report sent to MDCS



## SUBGROUP

### Customs Terminals/Temporary storage (MD)

2014 – AmCham report drafted by the GDS Company on Customs Terminals

February 2015 – analysis; EUBAM-MDCS meeting on temporary storage

April 2015 - joint EUBAM –BRITE position; AmCham-MDCS-EUBAM –BRITE meeting

May 2015 - Customs Terminals Working Meeting, held in Chisinau, some terminals visited

August 2015 – Coordination meeting - comments to the draft legislation on temporary storage; comments hand over to MDCS

Present – Legislative procedure ongoing





## SUBGROUP

### Odessa Forum/ legislation on Port procedures (UA)

**June 2015 - 1<sup>st</sup> meeting of the Focus Group 'Odessa Forum – Business Community'**

**July – Subgroup on draft legislation - Customs Code amendment related to the Procedures at the Port – EUAM, UASFS, EBA, AmCham (UA) on board; Comments were included into the draft submitted by the Mo Infrastructure/Port Authority**

**September - EUBAM and AmCham joint meeting - draft legislation on Procedures at the Sea Ports. UASFS, veterinary, phyto, sanitary, ecological services together with the EBA, Container- Shippers Association, PricewaterhouseCoopers, and the USAID Trade Project & Ministry of Infrastructure/Ukraine Sea Port Authority. Most of comments were directly included to the draft.**





## TFWG SUMMARY

- **Association Agreement/ DCFTA Implementation assistance Tool**
- **Communication Tool, common understanding**
- **Unification of Procedures**
- **Sub-group as a flexible working tool**
- **Short-term Experts involvement**
  - **Round table – communication with Economic Operators**
- **Workshops on Association Agenda topics**

# **FLEXIBILITY**

