

COMMUNICATION FROM HONG KONG, CHINA AND SWITZERLAND

Revision

The following communication, dated 6 February 2008, is being circulated at the request of the Delegations of Hong Kong, China and Switzerland.

**REDUCTION/LIMITATION AND PERIODIC REVIEW
OF FORMALITIES AND DOCUMENTATION REQUIREMENTS**

Hong Kong, China submitted a proposal for improving relevant aspects of Article VIII of GATT 1994 in document TN/TF/W/31. Subsequently, with the sponsorship of Switzerland, the proposal was revised in documents TN/TF/W/124 and TN/TF/W/124/Rev.1 aiming to achieve reduction/limitation and periodic review of formalities and documentation requirements. Hong Kong, China and Switzerland in this submission set out further revisions to their proposal having regard to feedback received from Members.

Textual Proposal

- Members shall minimize the incidence and complexity of import and export formalities and decrease and simplify import and export documentation requirements. In doing so, Members shall consider whether alternative formalities and requirements that can achieve the legitimate objectives are reasonably available, and adopt those formalities and requirements which are significantly less trade restrictive. Members shall ensure that the formalities and requirements are applied in an efficient manner so as not to constitute an unnecessary obstacle to trade.
- Any such formalities or requirements shall not be maintained if the circumstances or objectives giving rise to their adoption no longer exist.
- Each Member shall review its formalities and requirements at reasonable and regular intervals, taking into account relevant new information and business practices, availability and adoption of techniques and technology, international best practices and input from interested parties.¹

¹ This self-initiated review shall not affect Members' rights and obligations under paragraph 2 of Article VIII of GATT 1994.

Special and Differential Treatment, Technical Assistance and Capacity Building

The co-sponsors propose that these issues be taken forward through the development of a horizontal mechanism that would, among others, take account of the needs, priorities, cost concerns and implementation capacities of developing and least-developed Members in relation to commitments. A number of relevant submissions on these issues have been made to the Negotiating Group on Trade Facilitation.
