

# WORLD TRADE ORGANIZATION

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Negotiating Group on Trade Facilitation

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## COMMUNICATION FROM ANTIGUA AND BARBUDA, BARBADOS, DOMINICA, FIJI, GRENADA, PAPUA NEW GUINEA, THE SOLOMON ISLANDS, ST. KITTS AND NEVIS, ST. LUCIA, AND ST. VINCENT AND THE GRENADINES

### Revision

The following communication, dated 20 July 2006, is being circulated at the request of the Delegations of Antigua and Barbuda, Barbados, Dominica, Fiji, Grenada, Papua New Guinea, the Solomon Islands, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines.

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### REGIONAL APPROACHES TO TRADE FACILITATION: ENQUIRY POINTS

1. As small, vulnerable economies (SVEs), it should be recognized that the co-sponsors of this proposal suffer from a lack of adequate financial, technical and administrative capacities to implement all proposed trade facilitation measures at the national level. It should be noted that for SVEs the unit costs of adopting some measures are higher and therefore may limit the ability of SVEs to reap the full benefits of implementation. This notwithstanding, many of the co-sponsors have adopted, or are in the process of adopting trade facilitation measures autonomously in order to, lower transaction costs, improve the efficiency of port and transit procedures and improve transparency and predictability.
2. There is a need in the current negotiations to identify opportunities for regional approaches to implementing trade facilitation (TF) requirements and for the provision of technical assistance and capacity building. Issues such as economies of scale, maximization of resources and targeted technical assistance and capacity building have to be important considerations in these discussions.
3. The co-sponsors of this document have previously submitted proposals to the Committee on Trade and Development in Dedicated Session and to the WTO SPS, TBT and TRIPs Committees identifying regional approaches which could be utilized by Members to fulfil notification requirement. Additionally, regional approaches to technical assistance utilizing regional architecture to minimize administrative costs has also been proposed by the co-sponsors.
4. This present proposal speaks specifically to a regional approach to enquiry points but does not preclude regional approaches being taken in any other relevant areas under discussion within the TF Negotiations.

### Proposal

5. The proposals currently on the table recognize the importance and usefulness of enquiry points for providing information to traders and/or Member States the trade regulation of a country.

This submission by the co-sponsors seeks explicit recognition that a regional enquiry point for a group of countries shall also be accepted and recognized as fulfilling any obligation under these provisions. Notwithstanding the proposal, it should be recognized that the responsibility for ensuring that the information is available to the regional enquiry point will remain with the individual WTO Members concerned.

6. The following language is proposed for inclusion in any draft text which could be prepared in the future:

*"Establish enquiry points at the national level or in the case of SVEs/developing countries involved in a Customs Union/RTA/FTA, the option of the establishment of enquiry points at the regional level, to provide relevant information on trade procedures to trade."*

*"Members and the WTO, within its competence, shall provide technical and financial assistance on mutually agreed terms to SVEs/developing countries to support the establishment, modification and maintenance of these national and/or regional enquiry points."*

#### Special and Differential Treatment

7. SVEs/Developing countries/LDCs should have longer time periods to implement any requirement on enquiry points.

8. It should be understood that individual members of the Customs Union /RTA should maintain a national enquiry point if it is within their ability to do so but existence of a regional enquiry point would preclude the obligation to maintain a national enquiry point.

#### Technical Assistance and Capacity Building Requirements

9. The regional approach lends itself to more effective and targeted forms of technical assistance and capacity building and much of the assistance would be directed towards a mechanism which would be utilized by all members of the Customs Union/RTA/FTA. To fully exploit the benefits of a regional approach capacity building and technical assistance may also be channelled to the individual members.

10. The specific forms of technical assistance and capacity building required at both the national and regional level would include the following:

- Audit and compilation of regional trade-related legislation in an electronically exploitable format (to be carried out at the national level).
- Updating model legislation which could ultimately lead to a harmonising of a regional data base.
- Creation of a regional database with a view to harmonizing and updating the legislation.
- Provision of translations in Spanish, Dutch, French and English.
- Provision of security for data transmitted by the internet from the national governments to the regional mechanism as well as the provision of backup data systems.
- Review and revamping, where necessary, of national and regional trade policy communication plans to incorporate all levels of traders (commercial and informal) into the information forwarded to the regional mechanism.
- Creation of websites and the development of interactive software on trade regulation to ensure that the national legislation and trade policies can be fed into the regional mechanism.

- Training for customs and trade officials in internet publication website data entry, monitoring and update of information and dissemination of information.
- Infrastructure for the establishment/conversion/designation of a regional body or for a department within a regional body to carry out the functions of a regional enquiry point. This could include physical construction or modification of a facility; the provision of computer systems; the hiring of additional dedicated staff, etc.

Final Remark

11. This proposal is without prejudice to individual country positions and to the rights of the co-sponsors to submit additional proposals in future sessions on any issues contained in this paper and/or on any other issues not included here.

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