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Committee on Trade Facilitation

FIRST REVIEW OF THE OPERATION AND IMPLEMENTATION OF THE TRADE FACILITATION AGREEMENT

FACTUAL REPORT

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1 INTRODUCTION

1.1. The First Review of the Trade Facilitation Agreement (TFA, the Agreement, TF Agreement) is being carried out in 2021 in accordance with the mandate under Article 23.1.6 of the Agreement. Article 23.1.6 provides that "[t]he Committee shall review the operation and implementation of this Agreement four years from its entry into force, and periodically thereafter".

1.2. While the mandate in Article 23.1.6 stipulates that the review period starts from the entry into force of the Agreement, in order to capture all notifications submitted by Members, the notification data contained in this factual report covers the period from 1 January 2014 to [31 October] 2021.

1.3. Otherwise, this report covers the period from 22 February 2017 to [31 October] 2021.

1.4. At its meeting of 3 March 2021, the Committee on Trade Facilitation (TF Committee, Committee, TFC) adopted a calendar and procedure to undertake the First Review[1], which included the circulation of a first draft factual section of the review. Accordingly, this document provides information regarding the implementation and operation issues of the Agreement, as determined by Members during the review period.

1.5. The document is structured according to Sections I, II and III of the Agreement. It also includes quantitative information on the submitted notifications, a description of the thematic and experience sharing sessions, written submissions by Members and other issues relevant to each Section of the Agreement.

2 SECTION I OF THE TFA

2.1 Notifications under Section I of the TFA

2.1. The TFA requires Members to notify the Committee of the following: the publication of information for governments and traders on import, export and transit procedures (Article 1.4); the details of operation of their single window (Article 10.4.3); the use of customs brokers (Article 10.6.2); and details of the contact point for the exchange of customs information (Article 12.2.2).

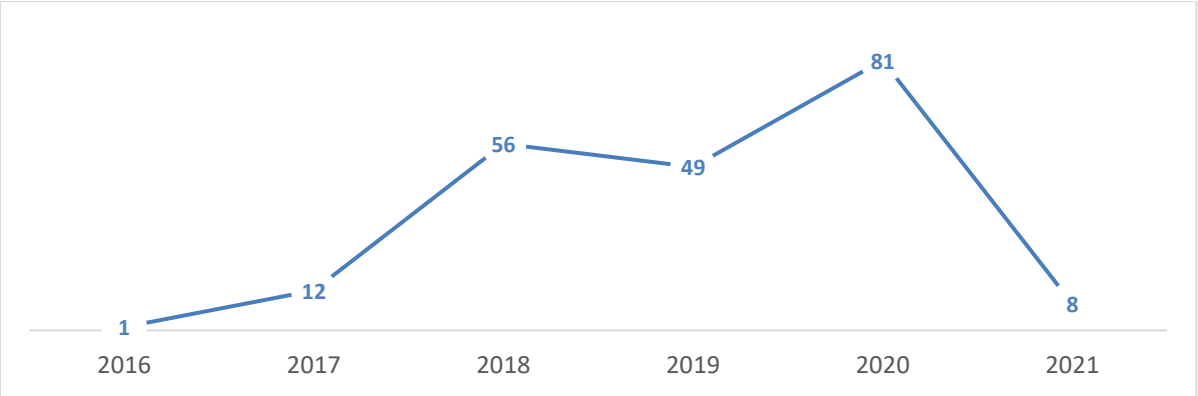
2.2. Chart 1 shows the number of notifications received per calendar year over the period from 01 January 2016, (when the first transparency notification was made) to [31 October] 2021.[2] In total, [xx][3] transparency notifications were submitted over this period.

[1] G/TFA/1.

[2] The data reflects the total number of transparency notifications received, including notifications to update information previously submitted, and not the number of Members that submitted transparency notifications.

[3] [xx] as it appears in the paper indicates that the final data is to be inserted at the conclusion of the review.

Chart 1: Number of transparency notifications received per year



Source: Trade Facilitation Agreement Database (http://www.tfadatabase.org).

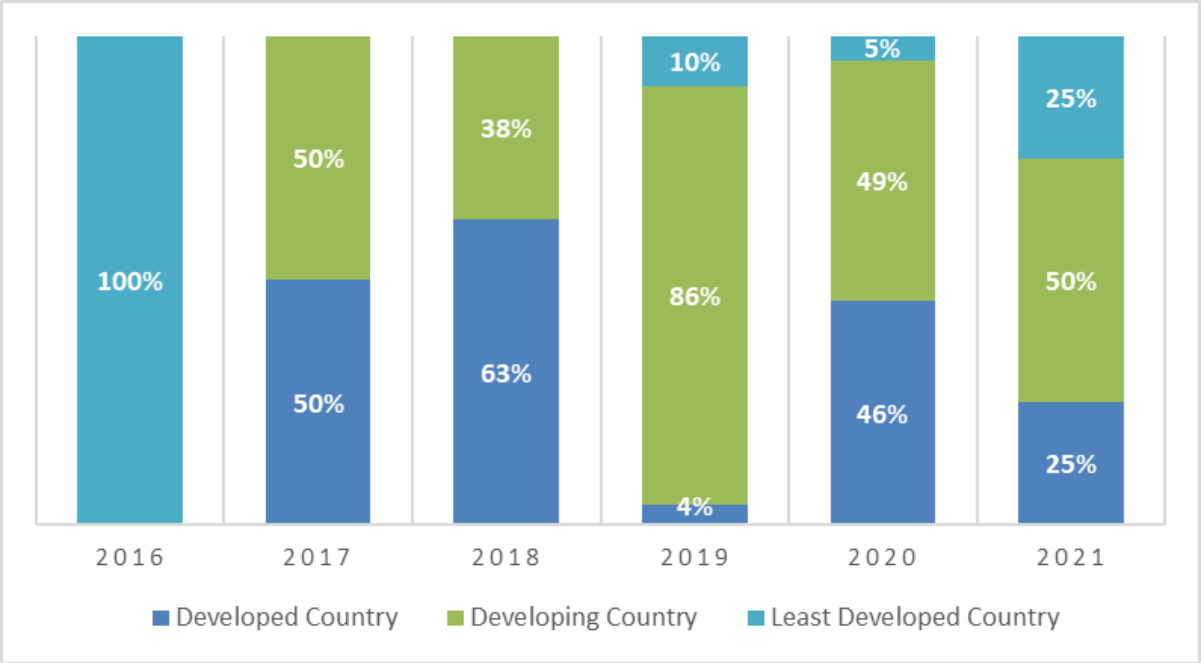
2.3. The cumulative distribution of the transparency notifications submitted by Members is displayed in Table 1.

Table 1: Cumulative break-down of transparency notifications submitted by percentage

Article	Notification	Percentage
Article 1.4	Publication of information for governments and traders on import, export and transit procedures	27%
Article 10.4.3	Details of operation of the single window	22%
Article 10.6.2	Use of customs brokers	27%
Article 12.2.2	Contact point for the exchange of customs information	25%

2.4. Chart 2 shows the percentage of transparency notifications submitted per Member grouping per year.

Chart 2: Percentage of transparency notifications received per Member grouping per year



Source: Trade Facilitation Agreement Database (http://www.tfadatabase.org).

2.2 Experience sharing exercise/thematic discussions

2.5. The first experience-sharing exercise/thematic discussion took place during the fourth meeting of the Committee, held on 2-3 May 2018. Thereafter, it remained as an agenda item for each subsequent Committee meeting. During the review period, a total of [xx] experience-sharing exercises took place in relation to provisions under Section I of the TFA. The sharing of experiences by Members took various formats: thematic discussions, cross-cutting issues, and presentations on specific TFA provisions.

2.6. The experience-sharing sessions included the participation of the following international organizations, which comprise some of the so-called "Annex D+ partner organizations": the World Bank Group (WBG), World Customs Organization (WCO), the Organization for Economic Cooperation and Development (OECD), the United Nations Conference on Trade and Development (UNCTAD) and the International Trade Centre (ITC). The Global Alliance for Trade Facilitation (GATF), a public-private partnership dedicated to international trade facilitation[4], and the Standards Trade and Development Facility (STDF) a multi-partner initiative[5], also participated in the experience-sharing sessions. The list of presentations is contained in Annex 1, Table 1.

2.7. In total, [18] Members shared their implementation experience with regard to six TFA articles as follows: Article 1: Publication and Availability of Information (2 Members); Article 2: Opportunity to Comment, Information Before Entry Into Force, And Consultations (2 Members); Article 3: Advance Rulings (5 Members); Article 7: Release and Clearance Of Goods (7 Members); Article 10: Formalities Connected With Importation, Exportation And Transit (8 Members); Article 11, and Freedom of Transit (6 Members). See Table 2. A number of Members also made presentations on cross-cutting issues, which are listed in Table 3.

Table 2: Experience-sharing presentations by Members on Section I provisions

Member	Title	Committee meeting
Article 1: Publication and Availability of Information		
Ecuador	Publication and availability of information (in Spanish only)	11 February 2020
Eswatini, Kingdom of	Trade Facilitation Programme and Trade Facilitation Information Portal ETIP	20-22 October 2020
Jamaica	Jamaica's Trade Information Portal Jamaica's Trade Facilitation Programme	15-16 October 2019
United States	GTFAW13 - Developing the Article 1.4 notification	25-26 June 2019
Article 2: Other Measures to Enhance Impartiality, Non-discrimination and Transparency		
European Union	EU implementation of Article 2 of the TFA	26 June 2018
United States	The Role of Notice and Comment And Related Administrative Procedures in Trade Facilitation Implementation GTFAW6	26 June 2018

[4] The Global Alliance is led by the Center for International Private Enterprise, the International Chamber of Commerce and the World Economic Forum, in cooperation with Gesellschaft für Internationale Zusammenarbeit (GIZ). It is currently funded by the governments of the United States, Canada, Germany, Denmark and Australia.

[5] The STDF grew out of a joint communiqué issued by the Heads of FAO, OIE, WBG, WHO and WTO at the Doha Ministerial Conference in November 2001. It is hosted by the WTO Secretariat, supporting increased capacity of developing countries to implement international SPS standards, guidelines and recommendations.

Member	Title	Committee meeting
Article 3: Advance Rulings		
Australia	Australia Advance Rulings - Presentation GTFAW11 - Australia's experience with Advanced Rulings	12-13 February 2019
Japan	Advance Rulings - Japan's experience	12-13 February 2019
Singapore	Singapore - Advance Rulings	9-11 October 2018
Ukraine	Advanced rulings Advanced rulings - key points	11 February 2020
United States	Speaking points - The role of advance rulings and administrative procedures in TFA implementation GTFAW7 - The role of advance rulings and administrative procedures in TFA implementation	9-11 October 2018
Article 7: Release and Clearance of Goods		
Australia	Australia's Authorized Economic Operator (AEO) Program - Australian Trusted Trader GTFAW9 Video: Australian Trusted Trader - an overview	9-11 October 2018
Brazil	Brazil's AEO programme	9-11 October 2018
	Time release study	22-23 March 2021
Cambodia	Shifting Category C to B - Article 7.9 Perishable goods	22-23 April 2021
China	China's AEO programme	9-11 October 2018
European Union	The EU Authorised Economic Operator AEO Programme	9-11 October 2018
Guatemala	Guatemala's AEO programme - Presentacion del programa de operador econimico autorizado en Guatemala	9-11 October 2018
	Estudio de tiempos de despacho	20-22 October 2020
Hong Kong, China	Implementation of the AEO Programme in Hong Kong China	9-11 October 2018
Korea, Republic of	Korea AEO programme	15-16 October 2019
Sri Lanka	WCO Time Release Study - Sri Lanka's experience	11 February 2020
United States	GTFAW21 - US Cargo time release study	11 February 2020
Uruguay	GTFAW12 - Plazos medios de levante y programa de Operador Economico Autorizado en aplicacion del AFC	25-26 June 2019
Zambia	Authorised Economic Operators AEO - Customs Accredited Client Programme	9-11 October 2018
Article 10: Formalities Connected with Importation, Exportation and Transit		
Brazil	Single window implementation in Brazil	9-11 October 2018
	TFA implementation in Brazil through Public-Private Partnership	
China	Single Window in China	15-16 October 2019

Member	Title	Committee meeting
European Union	Special procedures processing and temporary admission Room document	12-13 February 2019
Korea, Republic of	Single Window in Korea	9-11 October 2018
Malaysia	ASEAN statement - Discussions on single window	9-11 October 2018
Rwanda/ UNCTAD	UNCTAD Compendium of Good Practices UNCTAD and Rwanda	15-16 October 2019
Saudi Arabia, Kingdom of	Overview of Trade Facilitation Initiatives in Saudi Customs	9-11 October 2018
The Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu	CPT Single Window	15-16 October 2019
Article 11: Freedom of Transit		
European Union	EU Customs Transit Procedures Including Arrangements with a Number of Neighbouring Countries Under the Common Transit Convention EU Non Paper - European Union Customs Transit including arrangements with neighbouring countries under the Common Transit Convention	2-3 May 2018
Switzerland	Implementation of National and International Transit Procedures	9-11 October 2018

Table 3: Experience-sharing presentations by Members on cross-cutting issues

Member	Presentation	Committee Meeting
China	Approaches to Planning for Future Experience Sharing among Members Implementation of WTO TFA by China Customs	26 June 2018 2-3 May 2018
Costa Rica	Costa Rica statement	11 February 2020
El Salvador	Central American Trade Facilitation and Competitiveness Strategy with Emphasis on Coordinated Border Management (in Spanish only)	
Guatemala	Trade Facilitation Through a Regional Lense	26 June 2018
Moldova, Republic of	Moldova's National Action Plan on Trade Facilitation	2-3 May 2018
Morocco	Implementation of the TFA through a public-private partnership	11 February 2020
North Macedonia	Trade Facilitation Agreement Implementation - Some Practical Aspects	2-3 May 2018
United States	G/TFA/W/19 - Communication from the United States - Sharing of experiences	11 February 2020

2.3 Written submissions by Members regarding Section I

2.8. Table 4 below compiles the list of written submissions from Members circulated in the G/TFA/W/ document series as part of the experience-sharing exercise.

Table 4: Written Submissions by Members regarding Section I

Article	Member	Subject	Document Symbol
Implementation of Section I of the TFA			
Article 1	United States	Developing the Article 1.4 notification	G/TFA/W/13
Article 1	Zambia	Launch of the Zambia Trade Information Portal	G/TFA/W/34
Articles 1 and 2	United States	The role of "notice and comment" and related administrative procedures in trade facilitation implementation	G/TFA/W/6
Article 3	Australia	Australia's experience with Advance rulings	G/TFA/W/11
Article 3	United States	The role of advance rulings and administrative procedures in TFA implementation	G/TFA/W/7
Articles 5, 7, 9 and 10	Mongolia	Information on Articles 5.1, 5.3, 7.2, 9 and 10.5	G/TFA/W/32
Article 7	Australia	Australia's Authorized Economic Operator (AEO): Australian Trusted Trader	G/TFA/W/9
Article 7	Brazil	Time release study	G/TFA/W/33
Article 7	Hong Kong, China	Implementation of the Authorised Economic Operator programme in Hong Kong, China	G/TFA/W/8
Article 7	United States	US cargo time release study phase two executive summary	G/TFA/W/21
Article 7	Uruguay	Plazos medios de levante y programa de Operador Económico Autorizado	G/TFA/W/12
Article 8	Chile, Ecuador, Costa Rica, Mexico, Paraguay, Uruguay	Border Agency Cooperation	G/TFA/W/22
Article 11	Kyrgyz Republic	Provision on the national transit coordinator	G/TFA/W/16
Article 11	Mongolia	Provision on the national transit coordinator	G/TFA/W/18
Other topics			
	Jordan	Elimination of the consularization requirement	G/TFA/W/23
	Multiple (United States and Norway)	Revisiting the need for global action to eliminate consularization requirements	G/TFA/W/38
	United States	MSMEs (Micro, Small, and Medium Enterprises)	Opportunities For MSMEs - Statement by The United States The Trade Facilitation Agreement: A World Of Opportunities For MSMEs

2.4 Experience sharing by Members on trade facilitating measures taken to mitigate the COVID-19 Crisis[6]

2.9. Following the outbreak of the COVID-19 pandemic in 2020, the TF Committee held an informal Committee meeting on 30 September 2020 to provide an opportunity to Members to inform the Committee of trade facilitating measures that they had adopted in response to COVID-19. The meeting started with updates from the ITC, the WBG, the WCO, UNCTAD and GATF on their work in this area. The organizations presented their work under the following headings: ITC - "*Continuing TACB during the times of pandemics - ITC experience*"; WBG - "*The World Bank Group response to trade facilitation during the COVID crisis*"; WCO - "*What Customs can do to mitigate the effects of the COVID-19 pandemic*"; World Economic Forum (GATF) "*COVID impact on trade facilitation – observations, challenges and opportunities*"; and UNCTAD "*Easing global trade and transport during COVID-19*".

2.10. The following eight Members reported to the Committee on the trade facilitating measures that they had undertaken: the Dominican Republic; the European Union; Guatemala; Hong Kong, China; Japan; Nepal (as a focal point of the Core Group on Trade Facilitation of the LDC Group); Switzerland; and the United States.

2.11. The Ottawa Group, which includes Australia, Brazil, Canada, Chile, the European Union, Japan, Kenya, Republic of Korea, Mexico, New Zealand, Norway, Singapore and Switzerland, introduced a communication circulated in document G/TFA/W/24 which compiled the COVID-19 measures taken by its members. Brazil, Colombia and the United States, introduced a joint communication entitled "Supporting the Timely and Efficient Release of Global Goods Through Accelerated Implementation of the WTO Trade Facilitation Agreement" which was circulated in document G/TFA/W/25.

2.12. Members continued to share information on the trade facilitating measures that they had taken to mitigate COVID-19 at the Committee meetings of 21-22 October 2020, 26-27 January 2021, 3 March 2021, 22-23 April 2021, [22-23 June 2021, 27-28 July 2021, and 19-21 October 2021].

2.13. At the meeting of 21-22 October 2020, the following Members informed the Committee of the trade facilitating measures that they had taken to mitigate COVID-19: the European Union "Paper-based proofs of Preferential Origin under Covid-19 crisis"; the US updated the Committee on the communication entitled "Supporting The Timely And Efficient Release Of Global Goods Through Accelerated Implementation Of The WTO Trade Facilitation Agreement" (G/TFA/W/25); Paraguay "*Ventanilla única del exportador – medidas en época de pandemia*"; Nepal "Trade and Transit Facilitation – Nepal's experience; Canada "e-Longroom: an Emerging Digital Customs Strategy"; Afghanistan "Status and challenges of Trade Facilitation Agreement Implementation in Afghanistan"; Mongolia "Implementation of the TFA by Mongolia"; Japan "Japan Customs' Response to COVID-19; and the Dominican Republic "*Medidas temporales adoptadas por la República Dominicana en respuesta al COVID-19*". Saint Lucia, The Netherlands, and the EU provided additional information.

2.14. At the meeting of 26-27 January 2021, the WCO and the GATF updated the Committee on their COVID-19 related work.

2.15. At the meeting of 3 March 2021, the WCO provided an update to the Committee on its ongoing COVID-19 related work.

2.16. At the meeting of 22-23 April 2021, the following Members informed the Committee of the trade facilitating measures that they had taken to mitigate COVID-19: Cambodia "Mitigating COVID-19 – Article 10.4 Single Window"; and Turkey "Outcomes of Turkey's electronic customs procedures in line with TFA on international supply chains during the COVID-19 pandemic".

[6] A compendium document of the contributions of COVID-19 responses that the TFC Members and Observers have provided to the TFC is available in document G/TFA/W/40. The compendium also includes presentations made to the Committee by a number of Annex D+ partner organizations. Links to the presentations made by Members and Annex D+ partner organizations are included in the compendium.

2.17. A number of Annex D+ partner organizations made presentations to the Committee during these meetings regarding the support that they were providing to Members during the COVID-19 pandemic. The presentations are listed in Annex 1, Table 2.

2.5 Specific Trade Concerns

Kazakhstan – Border Restrictions of Goods in Transit – Request from The Kyrgyz Republic (G/TFA/W/20, G/TFA/W/20/Corr.1, G/TFA/W/20/Add.1)

2.18. The Committee addressed one matter concerning a specific trade concern that was raised at its meeting of 11 February 2020.[7] The Kyrgyz Republic raised a concern regarding Kazakhstan's treatment of its goods transiting to the Russian Federation. Kazakhstan considered that the issue should be addressed within the framework of the Eurasian Economic Union, to which both countries are members.

2.6 Involvement of the private sector

2.19. On 22 April 2021, at the margins of the meeting of the TFC, the Global Express Association (GEA), which represents DHL, FedEx and UPS, organized a webinar to which the Committee was invited.

3 SECTION II OF THE TFA

3.1 Notifications under Section II of the TFA

3.1.1 Notifications by Members under Articles 15 and 16

3.1. Developing and least-developed country Members invoking the special flexibilities contained in Section II of the TFA are required to notify the Committee in accordance with Articles 15 and 16 of the TFA. The timeline for notification obligations under Articles 15 and 16 is outlined in Table 5.

Table 5: Timeline of Notification Obligations under Articles 15 and 16 of the TFA

2017		
22 February	Developing country Members	• Notify designations of categories A, B and/or C • Provide indicative implementation dates for category B and category C designations • Provide TACB requirements for category C designations
2018		
22 February	Developing country Members	• Provide definitive dates for category B designations • Provide information on arrangements entered with Donors on TACB for category C designations
22 February	Least developed country Members	• Notify designations of categories A, B and/or C • May notify indicative implementation dates for category B designations
22 February	Donor Members	• Provide information on arrangements entered with developing Members on TACB for category C designations

[7] G/L/1375 and G/TFA/M/10.

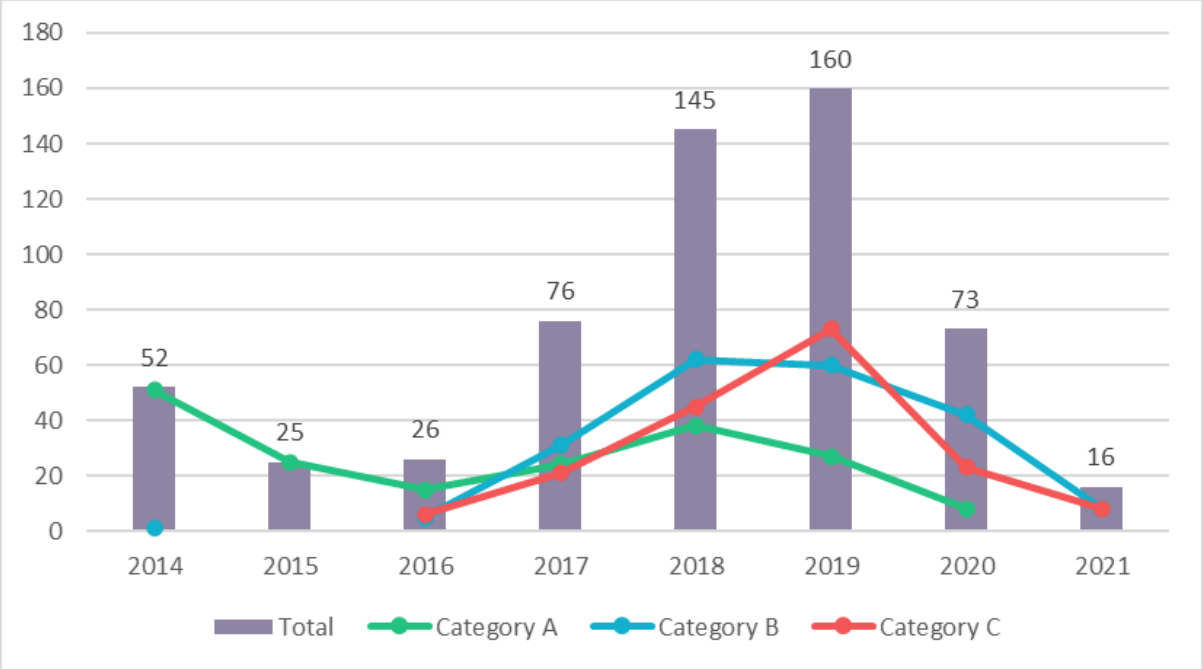
2019		
22 February	Least developed country Members	• Provide TACB requirement for category C designations
22 August	Developing country Members	• Provide definitive implementation dates for category C designations • Inform of progress in TACB provision for category C designations
22 August	Donor Members	• Inform of progress in TACB provision for category C designations of developing Members
2020		
22 February	Least developed country Members	• Provide definitive dates for category B designations
2021		
22 February	Least developed country Members	• Provide indicative dates for category C designations • Provide information on arrangements entered with Donors on TACB for category C designations
22 February	Donor Members	• Provide information on arrangements entered with LDCs on TACB for category C designations
2022		
22 August	Least developed country Members	• Provide definitive dates for category C designations • Inform of progress in TACB provision for category C designations
22 August	Donor Members	• Inform of progress in TACB provision for category C designations of LDCs

3.2. During the period under review, much of the Committee's work was focused on the receipt of notifications submitted by Members under those two Articles.

3.3. Chart 3 indicates that the highest number of notifications containing this information was received in 2019, followed by 2018. During the period under review, all but two Members[8] submitted their definitive dates for implementation of category B designations and C designations.

[8] Djibouti and Mauritania.

Chart 3: Category A, B and C notifications per year



Source: Trade Facilitation Agreement Database (http://www.tfadatabase.org).

3.4. Chart 4 shows the disaggregation of notifications by category. When the data is disaggregated by groupings, Chart 5 indicates that the share of items in category A is higher in developing countries, while LDCs have assigned more provisions in category C.

Chart 4: Share of Categories, A, B, C

Based on % of all notifiable article items

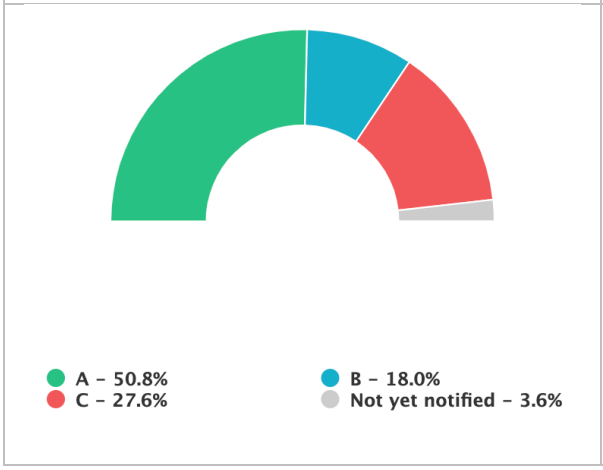
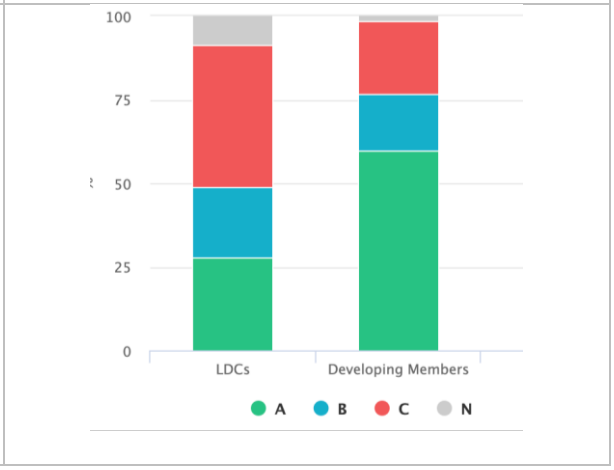


Chart 5: Share of Categories, A, B, C by grouping

Based on % of all notifiable article items



Source: Trade Facilitation Agreement Database (http://www.tfadatabase.org).

3.5. Notifications by Members of their A,B,C categorization indicate that globally the top five measures notified in category A are: pre-shipment inspection (Article 10.5); movement of goods (Article 9); detention (Article 5.2); use of customs brokers (Article 10.6); and, and temporary admission of goods (article 10.9). See Chart 6.

3.6. The five measures least notified in category A are: risk management (Article 7.4); border agency cooperation (Article 8); test procedures (Article 5.3); authorized operators (Article 7.7); and the single window (Article 10.4) See Chart 7.

Chart 6: Top five measures with highest categorization in A

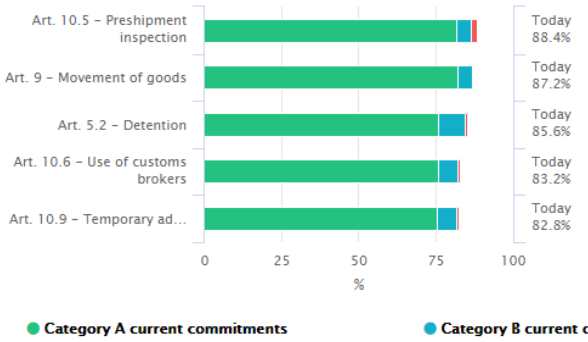
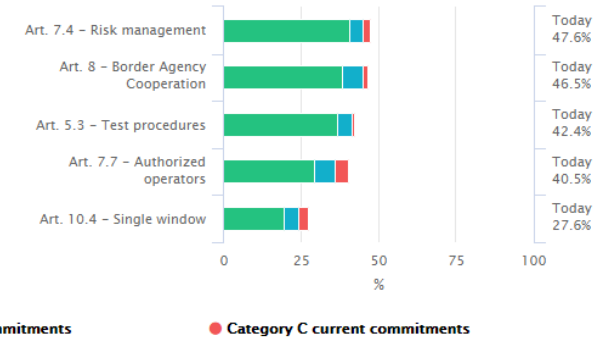


Chart 7: Bottom five measures with lowest categorization in A



Source: Trade Facilitation Agreement Database (http://www.tfadatabase.org).

3.1.2 Requests for extension of the deadline for the notification of definitive dates for category B measures by LDC Members

3.7. In 2020, nine LDC Members notified requests for an extension of the deadline for the notification of definitive dates for category B measures.[9] Between 13 to 22 February 2020, seven LDC Members requested an extension. To make a decision before the 22 February 2020 deadline, the Committee met on 20 February. Subsequently, the Committee received two further notifications of requests for extension on 21 February 2020 and the Committee held a second meeting on 28 February.[10] The Committee agreed to all nine requests for an extension of the deadline.[11]

3.8. The notification data for 2020 includes the requests for an extension.

3.1.3 Notifications on technical assistance and capacity building support for category C designations

3.9. Article 16 requires that Members provide three notifications regarding technical assistance and capacity building (TACB) for category C designations: notification by Members of TACB requirements for implementation of their category C designations; notification of information on arrangements entered into with Donors; and notification of progress in TACB provision.

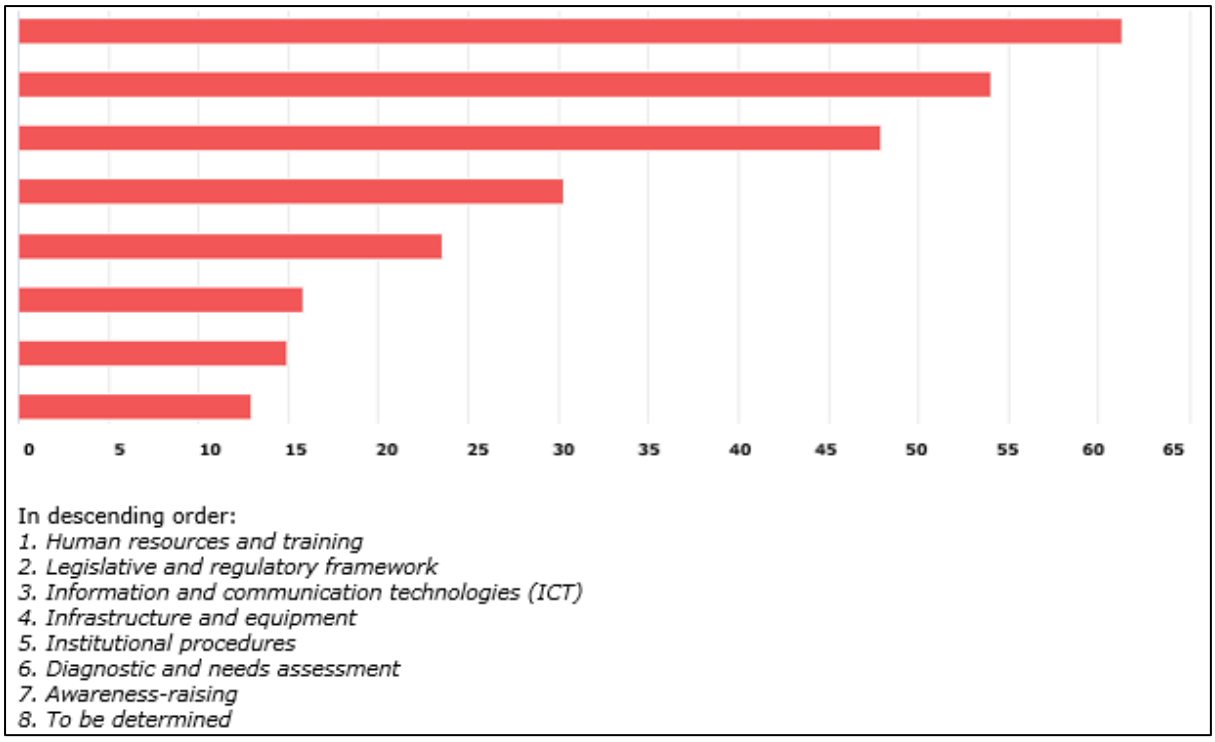
3.10. Over the review period, 125 Members notified the TACB support that was required in order to implement their category C designations. Taking into account all notifications, the top three needs identified by Members were with respect to (1) human resources and training; (2)assistance in amending laws or regulations or implementing new ones; and (3) information and communication technologies (ICTs). See Chart 8.

[9] LDC Members may request the Committee to grant an extension of the deadline to submit its definitive dates for category B under article 16:2 (b) of the TFA.

[10] The meetings of 20 and 28 February were convened under Rule 2 of the Rules of Procedure for meetings of the General Council, which through its own rules of procedure, apply mutatis mutandis to the TFC.

[11] Afghanistan, Burkina Faso, Chad, Djibouti, Lao PDR, Mauritania, Senegal, Sierra Leone and Solomon Islands.

Chart 8: Type of technical assistance required



Source: Trade Facilitation Agreement Database (http://www.tfadatabase.org).

3.11. Over the review period, notifications of information on arrangements entered into with donors plus notifications on progress made on TACB comprised [xx] notifications from developing countries and [xx] notifications from least developed country Members. See Table 6.

3.12. In accordance with Article 16, donors are also required to submit a notification on TACB; [[xx] donor Members have submitted notifications under this obligation].

Table 6: Number of donor arrangements and progress notifications received per year, per grouping

Years	Developing Country	Least Developed Country
2019	1	1
2020	4	1
2021	[ ]	[ ]

Source: Trade Facilitation Agreement Database (http://www.tfadatabase.org).

3.1.4 Notifications under Article 17

3.13. In 2020, the Committee received six requests for an extension of definitive dates for implementation of category B and C commitments under Article 17 of the TFA ("Early Warning Mechanism"). Requests submitted by three Members[12] did not exceed 18 months. In line with Article 17.2 of the TFA, the requested extensions were therefore automatically granted without any further action by the Committee.

3.14. One request from a Member[13] was for an extension of its implementation date exceeding 18 months. This request was considered by the Committee, as indicated in Article 17.4, and granted.

3.15. Requests from two Members[14] for an extension to their implementation dates were submitted after the deadline set out in Article 17.1 of the TFA, which requires requests to be notified to the

[12] Nicaragua (G/TFA/N/NIC/1/Add.2), Pakistan (G/TFA/N/PAK/1/Add.3) and the Philippines (G/TFA/N/PHL/1/Add.1).
[13] St. Kitts and Nevis (G/TFA/N/KNA/1/Add.1).
[14] Bahrain (G/TFA/N/BHR/1/Add.1) and Samoa (G/TFA/N/WSM/1/Add.2).

Committee no later than 120 days for developing countries and 90 days for least developed countries before the expiration of the previously notified implementation date. There was no consensus in the Committee to approve the requests.

3.16. In 2021, [three] requests were received from Members[15] which did not adhere to the deadline set out in Article 17.1. There was no consensus in the Committee to approve the requests.

3.17. A document tracking implementation dates from 1 May 2021 to 31 December 2022 was circulated in document G/TFA/INF/1 as a reminder to Members. This document will be updated on a rolling basis until all notified implementation dates have passed.

3.1.5 Notifications under Article 22

3.18. Article 22.1 and 22.2 of the TFA require donor Members to notify information regarding their technical assistance arrangements and the process and mechanisms to receive assistance. Article 22.3 requires beneficiary Members to notify contact details with regard to technical assistance.

3.19. Over the period of the review, [xx] donor Members submitted [xx] notifications and [xx] developing country Members submitted [xx] notifications under Articles 22.1 and 22.2. [xx] LDC Members submitted [xx] notifications under Article 22.3.

3.2 Experience sharing exercise/thematic discussions

3.20. Over the period of the review, [xx] Members have shared their experiences or made statements on matters under Section II relating to implementation of the TFA and/or issues concerning capacity building. These Members are Afghanistan; Brazil; China; Colombia; Costa Rica; Egypt; El Salvador; Eswatini; European Union; Finland; Germany; Guatemala; Jamaica; Japan; Lao PDR; Moldova; Mongolia; Nepal; Netherlands; North Macedonia; Paraguay; Rwanda; Saint Lucia; Saint Vincent and the Grenadines; Spain; Sweden; United Kingdom; United States; Viet Nam and Zambia.

3.21. Over the review period, a number of Annex D+ partner organizations regularly updated the Committee at its meetings of their regarding their work to support implementation of the Agreement by Members. In 2020[16] and in 2021[17] they provided these updates in a written report.

3.22. In addition, the GATF also made a number of presentations on their initiatives relative to TFA implementation at the meetings of 12-13 February 2019; 25 June 2019; 20-22 October 2020, 22-23 April 2021 [and xx]. The presentations made by Annex D+ partner organizations are listed in Annex 1, Table 2.

3.3 Article 21:4: Dedicated Sessions on Technical Assistance and Capacity Building

3.23. Article 21.4 of the TFA provides that the Committee shall hold at least one dedicated session per year to: (a) discuss any problems regarding implementation of provisions of the TFA; (b) review progress in the provision of assistance and support for capacity building to support the implementation of the TFA, including any developing or LDC Members not receiving adequate assistance and support for capacity building; (c) share experiences and information on ongoing assistance and support for capacity building and implementation programs, including challenges and successes; (d) review donor notifications as set forth in Article 22 of the TFA; and (e) review the operation of Article 21 of the TFA.

3.24. During the period under review four annual dedicated sessions have taken place. (See Table 7 for a list of presentations and statements made during these sessions, where available.) The first dedicated session was held on 3 May 2018. The United States delivered presentations in connection with the subject matter under Article 21.4(a) and (b) of the TFA. With regard to Article 21.4(c) of the TFA, presentations and other contributions were made by Colombia; Germany and Sweden on

[15] Ukraine (G/TFA/N/UKR/1/Add.3), Peru (G/TFA/N/PER/1/Add.1) and Tonga (G/TFA/N/TON/1/Add.3).
[16] G/TFA/W/29.
[17] G/TFA/W/39.

behalf of the European Union; the United States; and Viet Nam. Finally, Australia presented a donor notification as referenced under Article 21.4(d), and the United States intervened with respect to support for LDC Members as referenced under Article 21.4(e) of the TFA.

3.25. A second dedicated session was held on 16 October 2019. Following the structure of Article 21.4 of the TFA, the Chair organized the session by first inviting exchanges on any implementation problems, a review of progress in the provisions of assistance and support for capacity buildings, and the sharing of experiences and information on ongoing assistance and support for capacity building and implementation programs. With regard to these issues, the following Members made presentations or shared certain information: Bangladesh, Bolivia, Cote d'Ivoire, Dominican Republic, El Salvador, Ghana, Guatemala, Honduras, Japan, Lao PDR, Mauritius, Nigeria, Paraguay, Peru, Saint Vincent and the Grenadines, Samoa, Senegal, Sri Lanka, Trinidad and Tobago, Uruguay, and Zambia. In addition, Jamaica made a presentation on behalf of CARICOM, and Nepal intervened on behalf of the LDC Group.

3.26. Presentations pertaining to the review of donor notifications as set forth in Article 22 of the TFA were made by the European Union and by several EU member countries, including Finland, the Netherlands, Spain, Sweden, and the United Kingdom. At the invitation of the European Union, the Committee also heard a contribution from the WCO.

3.27. Summaries of these presentations can be found in the minutes for the 16 October 2019 meeting as set out at pages 27-45 of G/TFA/M/9.[18]

3.28. The third dedicated session was held on 22 October 2020. As during the second session, Committee Members were invited to exchange on several matters listed under Article 21.4 of the TFA, including any implementation problems, a review of progress in the provisions of assistance and support for capacity building, and the sharing of experiences and information on ongoing assistance and support for capacity building and implementation programs. With regard to these issues, the following Members made presentations or shared certain information: Canada; China; Ecuador; Eswatini; the European Union; Finland; France; Japan; the Netherlands; Paraguay; Sweden; and the United Kingdom. A presentation was also made by Saint Lucia on behalf of the OECS.

3.29. Summaries of these presentations and contributions are provided in greater detail in the minutes for the 22 October 2020 meeting as set out at pages 27-39 of G/TFA/M/13. During its regular meeting, the Committee took note of donor notifications under Article 22 of the TFA from Australia; Canada; Japan; and the United States.[19] With regard to recent and upcoming activities, the Committee heard statements from Brazil, Nepal (on behalf of the LDC Group), the United States, as well as a presentation by GATF, as set out at pages 39-42 of G/TFA/M/13.

3.30. The fourth dedicated Session was held on 21 October 2021. During this session, [xx].

Table 7: Presentations by Members under the Dedicated Sessions

Member	Title	Committee meeting
European Union	Statement by the European Union	15-16 October 2019
	Statement by the European Union	20-22 October 2020
Eswatini, Kingdom of	Trade Facilitation Programme and Trade Facilitation Information Portal ETIP	20-22 October 2020
Finland	Finland statement	20-22 October 2020

[18] No presentations were made pertaining to the review and operation of Article 21:2 of the TFA.
[19] G/TFA/M/13, pp. 15-16. No presentations were made pertaining to the review and operation of Article 21:2 of the TFA.

Member	Title	Committee meeting
France	France statement	20-22 October 2020
Germany	Ongoing Assistance and Support - Germany	2-3 May 2018
Jamaica	CARICOMs implementation experience Jamaica on behalf of CARICOM	15-16 October 2019
Lao People's Democratic Republic	Trade Facilitation in Lao - key achievements and challenges	15-16 October 2019
Netherlands, The	The Netherlands statement	20-22 October 2020
Saint Lucia	OECS report	20-22 October 2020
Saint Vincent and the Grenadines	Presentation by Saint Vincent and the Grenadines on Trade Facilitation	15-16 October 2019
Spain	Technical assistance from Spain in the framework of the WCO MERCATOR Programme	15-16 October 2019
Sweden	Ongoing Assistance and Support - Sweden	2-3 May 2018
	Sweden statement	20-22 October 2020
United Kingdom	Trade Facilitation UK Statement	15-16 October 2019
United States	Trade Facilitation Agreement Notifications as Tools for Demand Driven Assistance Conversations	2-3 May 2018
	United States Approach to Trade Facilitation Assistance	
	United States Department of Agriculture Trade Facilitation Agreement Related Technical Assistance	
	Commercial Law Development Program – Contribution By The United States	
United States/ Viet Nam	Project Support for TFA implementation in Vietnam	2-3 May 2018
Zambia	Support from cooperating partners and Zambia's achievements in the implementation of the TFA	15-16 October 2019

3.4 Written submissions by Members regarding Section II

3.31. One Member, the United States, circulated a written submission in document G/TFA/W/15 in relation to Articles 16 and 24.

4 SECTION III OF THE TFA

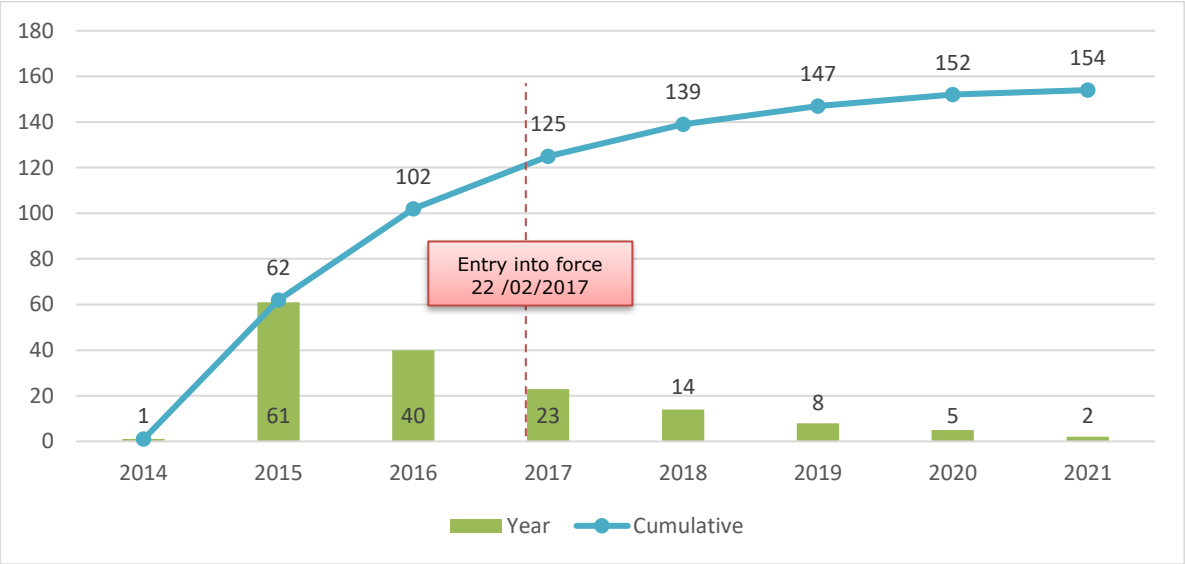
4.1 Ratifications[20]

4.1. During the period from 1 January 2014 to [31 October] 2021, [xx] Members ratified the Amendment Protocol to modify the Marrakesh Agreement Establishing the World Trade Organization

[20] While the issue of ratification is not included in Section III of the TFA, this information has been included for the interest of Members.

and deposited their instruments of acceptance. As of [xx], [xx] Members are yet to deposit their instruments of acceptance. See chart 9.

Chart 9: Number of ratifications per year



Source: Trade Facilitation Agreement Database (http://www.tfadatabase.org).

4.2 Article 23 Institutional Arrangements

4.2.1 Article 23.1 Committee on Trade Facilitation

4.2. Following the entry into force of the Trade Facilitation Agreement on 22 February 2017, a Committee on Trade Facilitation was established in line with Article 23.1 of the Agreement.

4.3. At a meeting on 7 April 2017, the General Council (GC) took note of a statement by the Chair of the General Council, informing delegations of the consensus on the appointment of Ambassador Daniel Blockert from Sweden as Chairperson of the TFC.

4.4. On 16 May 2017, the TFC held its inaugural session. The sole agenda item was the confirmation of the Chairperson-designate. Members formally elected Ambassador Blockert (Sweden) as the first TFC Chair. Ambassador Blockert announced his intention to consult delegations on the Committee's rules of procedure and the organization of work. The TFC held two further meetings in 2017: on 19 July and 3 November.

4.5. In 2018, the TFC held three formal meetings: on 2 to 3 May (G/TFA/M/4); on 26 June (G/TFA/M/5); and on 9 to 11 October (G/TFA/M/6). The meeting of 2 and 3 May was chaired by Ambassador Daniel Blockert (Sweden) and the remaining meetings were chaired by his successor, Ambassador Dalia Kadišiene (Lithuania), who was elected at the May meeting as Chair of the Committee for 2018.

4.6. In 2019, the TFC held three formal meetings: on 12 to 13 February (G/TFA/M/7); on 25 to 26 June (G/TFA/M/8); and 15 to 16 October (G/TFA/M/9). The meeting of 12 and 13 February was chaired by Ambassador Dalia Kadišiene and the remaining meetings were chaired by her successor Ambassador Mohammad Haqjo (Afghanistan) who was elected at the June meeting as Chair of the Committee for 2019.

4.7. In 2020, the TFC held four formal meetings: on 11 February (G/TFA/M/10); on 20 February (G/TFA/M/11); on 28 February (G/TFA/M/12) and on 20 to 22 October (G/TFA/M/13). The TFC held an informal meeting on 30 September. The meetings of 11, 20 and 28 of February were chaired by Ambassador Mohammad HAQJO. The remaining meetings were chaired by his successor Ambassador Katrina NAUT (Dominican Republic) who was elected on 30 July as Chair of the Committee for 2020. Ambassador Naut resigned as Chairperson in December 2020.

4.8. In 2021, the TFC held six formal meetings: 29 January 2021; 22-23 March 2021; 22-23 April 2021, 22-23 June 2021, 27-28 July 2021, 19-21 October 2021. The Committee held [seven] informal meetings during the year. Six of those meetings were dedicated to the four-year review of the TFA. Following the departure of Ambassador Naut in December 2020, the TFC meeting of 29 January was chaired on an *ad hoc* basis by the Chair of the Council for Trade in Goods (CTG), HE Mikael Anzén, (Sweden). Mr. Christopher O'Toole (Canada) was then selected on 5 February 2021 as Interim Chair of the TFC through silent procedure. On [x month], the Committee elected [person] as Chair of the Committee for 2021.

Table 8: Trade Facilitation Committee Meetings and Minutes 2017 to 2021

TFC Meeting	Minutes
16 May 2017	G/TFA/M/1
19 July 2017	G/TFA/M/2
3 November 2017	G/TFA/M/3
2-3 May 2018	G/TFA/M/4
26 June 2018	G/TFA/M/5
9-11 October 2018	G/TFA/M/6
12-13 February 2019	G/TFA/M/7
25-26 June 2019	G/TFA/M/8
15-16 October 2019	G/TFA/M/9
11 February 2020	G/TFA/M/10
20 February 2020	G/TFA/M/11
28 February 2020	G/TFA/M/12
20-22 October 2020	G/TFA/M/13
29 January 2021	G/TFA/M/14
22-23 March 2021	G/TFA/M/15
22-23 April 2021	G/TFA/M/16
22-23 June 2021	G/TFA/M/17
27-28 July 2021	G/TFA/M/18
19-21 October 2021	G/TFA/M/19

4.2.2 Rules of procedure of the Committee on Trade Facilitation

4.9. At its meeting of 25 and 26 June 2019, Members finalized work on the Committee's rules of procedure and agreed to forward them to the Council for Trade in Goods for approval. At its meeting of 14 and 15 November 2019, the Council for Trade in Goods approved the Rules of Procedure for meetings of the Committee on Trade Facilitation[21], consisting of the General Council's Rules of Procedure[22] applied *mutatis mutandis* with agreed modifications.

4.2.3 Annual reports by the Committee to the Council for Trade in Goods

4.10. According to the "Procedures for an annual overview of WTO Activities and for reporting under the WTO" (WT/L/105), which were adopted by the General Council on 15 November 1995, all bodies constituted under Agreements in Annex 1A of the WTO Agreement are required to submit an annual factual report to the Council for Trade in Goods, which is then to take note of these reports.

4.11. Accordingly, the Committee submitted annual reports to the Council for Trade in Goods from 2017 to 2021.[23]

4.2.4 Article 23.2 National Committee on Trade Facilitation

4.12. Article 23.2 of the TFA requires each Member to establish and/or maintain a National Committee on Trade Facilitation (NCTF) or designate an existing mechanism to facilitate both domestic coordination and implementation of the provisions of the TFA. Seventeen Members have

[21] G/C/M/136, item 4. The text of the Rules of Procedure can be found in G/L/1342.
[22] WT/L/161.
[23] (G/L/1201); (G/L/1267); (G/L/1329); (G/L/1375); [xx].

taken the opportunity to share with the Committee their experiences in both the development and operation of their NCTFs, either through oral presentations or written submissions.

4.13. At its meeting of 2-3 May 2018, three Members shared their experience regarding the functioning of their NCTFs as follows. Brazil; Turkey; and the United States. At the Committee meeting of 9-11 October 2018, the Dominican Republic reported on the progress of its NCTF.

4.14. At its meeting of 12-13 February 2019, five Members shared their experience with the establishment and operation of their NCTFs: Costa Rica; Pakistan; Paraguay; Thailand and Tonga. Sri Lanka made a presentation on the functioning of its NCTF at the meeting of 25 June 2019. At the meeting 15-16 October 2019, five more Members reported on their NCTFs: Egypt; El Salvador; Norway; Montenegro; and Paraguay.

4.15. At its meeting of 11 February 2020, three Members shared experiences with their NCTFs: Chile; Ecuador; and India.

4.16. At its meeting of 2-3 March 2021, UNCTAD delivered a presentation to the Committee in which it outlined a number of tools developed by UNCTAD to assist Members seeking to accelerate implementation of the TFA.

4.17. [At its meeting of [xx 2021], [xx] shared experiences regarding their NCTFs.]

Table 9: Experience-sharing by Members regarding NCTFs

Member/Presenter	Title	Committee meeting
Brazil	National Committee on Trade Facilitation - CONFAC	2-3 May 2018
Chile	National Trade Facilitation Committee (in Spanish)	11 February 2020
Costa Rica	National Trade Facilitation Committee (in Spanish)	12-13 February 2019
Dominican Republic	Avances del Comite Nacional de Facilitacion del Comercio	9-11 October 2018
El Salvador	Advances in Trade Facilitation (in Spanish)	15-16 October 2019
Ecuador	National Trade Facilitation Committee - Video	11 February 2020
India	National Committee on Trade Facilitation - India's Experience Summary of India's presentation	11 February 2020
Montenegro	National Trade Facilitation Committee - Montenegro	15-16 October 2019
Norway	The National Trade Facilitation Committee of Norway	15-16 October 2019
Pakistan	Pakistan - National Trade Facilitation Committee NCTF	12-13 February 2019
Paraguay	National Trade Facilitation Committee in Spanish	12-13 February 2019
	National Committee on Trade Facilitation in Paraguay	15-16 October 2019
Sri Lanka	Functioning of Sri Lanka's National Trade Facilitation Committee	25 June 2019
Thailand	Thailand - National Committee on Trade Facilitation	12-13 February 2019

Member/Presenter	Title	Committee meeting
Togo	Togo's experience in French	12-13 February 2019
Turkey	National Committee on Trade Facilitation - Experience of Turkey	2-3 May 2018
United States	Structure and Role of the US National Trade Facilitation Committee G/TFA/W/5	2-3 May 2018
Chile, Ecuador, Costa Rica, Mexico, Paraguay, Uruguay	Informe sobre el primer encuentro latinoamericano de los comites nacionales de facilitacion del comercio - Montevideo Uruguay - Noviembre 2019	11 February 2020

4.3 Written submissions by Members regarding Section III

4.18. One Member, the United States, submitted written submissions regarding Section III.

Table 10: Written Submissions by Members regarding Section III

Member	Title	Document symbol
United States	Communication from the United States regarding National Trade Facilitation Committees	G/TFA/W/19
	Structure and role of the US National Trade Facilitation Committee	G/TFA/W/5
	Proposal to update the WTO's Committee's Trade Facilitation meeting agenda as part of the four-year review of the WTO Agreement on Trade Facilitation Article 23.1.1.6	G/TFA/W/35
	Role of the Trade Facilitation Committee in the Trade Facilitation Agreement Facility	G/TFA/W/36

5 REPORTS TO THE COMMITTEE BY THE TRADE FACILITATION AGREEMENT FACILITY AND OTHER ORGANIZATIONS PLUS THE GLOBAL ALLIANCE ON TRADE FACILITATION ON THEIR ACTIVITIES TO SUPPORT MEMBERS IN THE IMPLEMENTATION OF THE TFA

5.1. The Trade Facilitation Agreement Facility (TFAF) provides regular reports on its activities to the Committee.[24] These include updates on workshops and other events relating to trade facilitation matters organized with donors, partner organizations and representatives from the private sector. The Facility also reports on the grant program that offers project preparation and project implementation grants to assist Members in identifying and liaising with donors and with the implementation of category C measures as a contingency when no other assistance has been identified. The Facility further provides annual reports on its activities. These reports and all other information relating to its grant work, coordination efforts with the Annex D+ partner organizations and all other activities can be found on the TFAF website.[25]

5.2. During the review period TFAF made [xx] presentations to the Committee. An information session was organized in the margins of the Committee meeting of 25-26 June 2019 on the operational and administrative structure of the Standards and Trade Development Facility (STDF). The session provided information on the origins, structure and membership of the STDF, its management, and its relationship with the WTO Secretariat.

5.3. Annex D organizations (i.e., IMF, OECD, UNCTAD, WCO and WBG) are invited to and regularly attend Committee meetings. In addition, certain of these organizations have made presentations to the Committee. The OECD delivered a presentation on TFA implementation, cooperation and related

[24] See G/L/1201, G/L/1267, G/L/1329, and G/L/1375. The most recent reports by the Facility to the Committee can be found at G/TFA/W/28 (20-21 October 2020) and G/TFA/W/37 (22-23 April 2021).

[25] TFAF - Trade Facilitation Agreement Facility (http://www.tfafacility.org).

matters at a 2018 meeting of the Committee.[26] UNCTAD has made several presentations, including a joint presentation with Rwanda in 2019 on best practices[27], and the WCO has intervened several times to share information regarding its work in the area of trade facilitation.[28] In an informal session of the Committee held on 30 September 2020, UNCTAD, WCO and the WBG, along with the ITC, and GATF, each made presentations on matters relating to measures adopted in response to the COVID-19 situation.[29]

5.4. In addition, the Annex D+ partner organizations provided a report that was circulated to the Committee in the context of the 20-22 October 2020 dedicated session on technical assistance and capacity building and the Annex D partners and the ITC provided a report to the Committee for the 22-23 April 2021 meeting that, with respect to each organization, outlined their role in supporting implementation of the TFA, offered a brief description of upcoming assistance and activities, and described how Members could request assistance.[30]

6 DATABASE AND WEBSITE DEVELOPMENTS SUPPPORTING THE WORK OF THE TF COMMITTEE

6.1. A database –tfadatabase.org - was created in response to a request expressed by Members in the TFC.

6.2. The database is publicly available in the three WTO official languages. It is a fact-based reference source for information on TFA notifications which also provides analytical functionalities. It follows the evolution of the TFA and continually adapts to accommodate new notification data.

6.3. The Member profiles pages provide a platform to view the notification status of an individual Member in depth as well as any information notified by Members. All notification documents and other submissions made by Members can be accessed on these pages.

6.4. The TFA database hosts a dedicated page of the TF Committee containing all the information provided under the experience-sharing and thematic discussions in the Committee.

6.5. Government officials and traders can access all URLs and contact points as Members are required to notify under the TFA.

6.6. All technical assistance disbursements provided by Members can also be accessed on the TFA database.

6.7. The TFA Database automatically feeds data to three other websites, comprising the main WTO website, The Trade Facilitation Agreement Facility (TFAF) website and the Global Trade Helpdesk website.

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[26] G/TFA/M/5.
[27] G/TFA/M/9.
[28] Most recently, at the meetings of the Committee on 26-27 January and 3-4 March 2021.
[29] https://tfadatabase.org/trade-facilitation-committee/meeting/2020-09-30.
[30] G/TFA/W/39.

ANNEX 1

Table 1: Information-Sharing by Annex D+ partner organizations on their activities

Member/Presenter	Title	Committee Meeting
Annex D+ Partner Organizations	Report by the Annex D+ partner organizations to the Trade Facilitation Committee G/TFA/W/29	20-22 October 2020
	Report by the ITC and the Annex D partner organizations to the Trade Facilitation Committee (G/TFA/W/39)	22-23 April 2021
GATF	Update on activities of the Global Alliance for Trade Facilitation	12-13 February 2019
	Global Alliance for Trade Facilitation	25 June 2019
	Update from the Global Alliance for Trade Facilitation	15 October 2019
	Global Alliance for Trade Facilitation update	11 February 2020
	Global Alliance for Trade Facilitation presentation	20-22 October 2020
	Building trust through public-private partnerships for trade facilitation	22-23 April 2021
OECD	Summary of Events on Trade Facilitation and Future Trade Cooperation	26 June 2018
STDF	Driving safe trade solutions worldwide STDFs role	25 June 2019
UNCTAD	UNCTAD tools for NTFCs	3 March 2021
UNCTAD and Rwanda	UNCTAD Compendium of Good Practices UNCTAD and Rwanda	15 October 2019
WCO	WCO statement	11 February 2020

Table 2: Information-Sharing by Annex D+ partner organizations on their work to support Members to mitigate the COVID-19 crisis

Member/Presenter	Title	Committee Meeting
GATF	Global Alliance – COVID-19 impact on Trade Facilitation	30 September 2020
ITC	ITC - Coping with COVID-19 through trade facilitation	30 September 2020
UNCTAD	UNCTAD - Easing global trade and transport during COVID-19	30 September 2020
World Bank Group	World Bank - WB response to COVID-19 crisis	30 September 2020
WCO	WCO - What Customs can do to mitigate the effects of the COVID-19 pandemic	30 September 2020
GATF	Global Alliance for Trade Facilitation	26-27 January 2021
WCO	Statement by the WCO	26-27 January 2021
WCO	WCO presentation on COVID-19 related measures	3 March 2021