



United Nations
Economic Commission for Europe
Economic Commission for Africa

**Capacity Building Workshop for the African
Group On Trade Facilitation**

Technical Aspects of GATT Articles V, VIII and X in
Relation to the Doha Work Programme

10 March 2005, Geneva, WTO (Room B)

BACKGROUND

The WTO General Council adopted on 1 August 2004 a Decision on the Doha Work Programme, generally known as a “July Package”, which defines modalities for negotiations in the current round of trade talks. Among others, the “July Package” also includes the “Modalities for Negotiations on Trade Facilitation”, which mandate the WTO Members to launch negotiations on trade facilitation. In concrete terms, the Modalities provide that negotiations shall aim to clarify and improve relevant aspects of Articles V, VIII and X of the GATT 1994. They also assure that the special and differential treatment principles for developing and least-developed countries shall be fully taken into account, and more effective technical assistance and capacity building carried out as part of a collaborative approach among international organizations. This mandate was directly reflected in the Work Programme of the Negotiating Group on Trade Facilitation that launched its work in November 2004.

Several WTO developing countries, particularly in Africa, emphasised the need to carefully consider the scope and content of these negotiations, and the impact of any negotiated outcome on their domestic policies, including the costs and benefits. The vital issue for these countries is to clearly understand the technical issues related to Articles V, VIII and X, so that they can identify their needs and priorities for possible implementation, commitments and Special and Differential Treatment (SDT).

The key questions for developing and least-developed countries are, therefore:

- What are the key technical issues involved?
- What are the potential benefits and constraints for developing economies??
- What are the possible commitments?
- What flexibilities can be provided?
- What would be the implications for capacity building and technical assistance?

THE OBJECTIVE OF THE MEETING

The objective of the one-day Capacity Building Workshop for the African Group on Technical Aspects is three fold:

- 1) Enhance understanding of trade facilitation negotiators on the technical issues of GATT Articles V, VIII and X, and possible implications thereof;
- 2) Look at relevant trade facilitation options in a broader context than the three GATT Articles;
- 3) Consider the trade facilitation instruments and tools available that fit within the three GATT Articles and also the broader areas of trade facilitation mentioned above.

PARTICIPATION

The target group for the workshop is Geneva-based trade facilitation negotiators from the African Group.

OUTCOME OF THE WOKSHOP

The Workshop will provide trade facilitation negotiators with a technical understanding on the three GATT Articles plus a broader view of related trade facilitation tools, standards and approaches that should assist them, when:

- Analyzing and negotiating technical aspects of GATT Articles V, VIII and X in the context of the current Doha Work Programme
- Considering the overall approach to and value of trade facilitation in economic development
- Determining possible future implementation priorities.

Programme

08:30 – 09:00

Registration

09:00 – 09:20

Introductory Remarks and Welcome

H.E. Valentine Rugwabiza, Ambassador, Permanent Representative of the Republic of Rwanda to the WTO, Geneva

Mr Richard Eglin, Director, WTO Secretariat

Dr. Cornelius Mwalwanda, Principal Advisor, UNECA Interregional Advisory Services, Geneva

Dr. Carol Cosgrove-Sacks, Director, Trade Development and Timber Division, UNECE, Geneva

09:20 – 10:00

A Bird-eye View on Trade Facilitation

Moderator:

Dr. Cornelius Mwalwanda, Principal Advisor, UNECA Interregional Advisory Services, Geneva

Presenters:

Mr. Jean Kubler, Acting Chief of the Global Trade Solutions Branch, Trade Development and Timber Division, UNECE, Geneva
Mr. Tama R. Lisinge, Economic Commission for Africa

Issues: Is trade facilitation only an issue of Customs, or is it more complex? What is the role of the Governments versus business in trade facilitation? Should trade facilitation be applied hand-in-hand with trade efficiency? What are the specific issues from an African perspective?

This session will give an overview of UN/CEFACT's approach to trade facilitation through the Integrated Model of Trade Facilitation Implementation to meet the objectives of both Governments and business. The Integrated Model comprises aspects of trade, transport, banking and insurance sector, and telecommunication sector and business practices. It also considers the trade and economic development priorities of countries. The session will also cover specific issues and experiences of trade facilitation from an African perspective.

Discussion

10:00 – 12:15

GATT Article V

Technical Aspects of GATT Article V

Moderator:

Dr. Magdi Farahat, Minister Plenipotentiary, Permanent Mission of Egypt to the WTO, Geneva

Presenter:

Mr Bernard Stoven, Expert in Trade and Transport Facilitation (formerly French Customs)
Mr Thomas Sebastian, Advisory Centre on WTO Law

Issues: What are the key issues in Article V? What is meant by “reasonable charges”, “unnecessary delays”, etc? Is it advisable to provide a national

treatment to goods in transit? Should MFN be provided to all modes of transport? How can problems of landlocked countries be address?

Discussion

Tea/coffee Break

Broader aspects and implementation tools available for Article V

Presenters:

Mr. Poul Hansen, Transport Division, UNECE, Geneva
Mr. Prakash Hurry, Senior Customs Officer, COMESA

Topics will include:

- TIR Convention, which is intermodal and reduces the regular requirements of national transit procedures, while avoiding the need for physical inspection during transit and Customs examination. Advantages of using a single transit document “TIR Carnet” will also be considered.
- COMESA’s approach to transit facilitation, including the use of Customs Bond Guarantee Scheme.
- Harmonization Convention on Facilitation of Border Management

Discussion

12:15 – 13:00
14:00 – 15:15

GATT Article VIII

Technical Aspects of GATT Article VIII

Moderator

Dr. Carol Cosgrove-Sacks, Director, Trade Development and Timber Division, UNECE, Geneva

Presenters:

Mr Bernard Stoven, Expert in Trade and Transport Facilitation (formerly French Customs)
Mr Thomas Sebastian, Advisory Centre on WTO Law

Issues: What are the current elements of Article VIII that make it difficult to operationalise? Is it advisable to standardize, simplify and harmonize trade procedures and information flows, using international standards? Is it advisable to adopt a minimum standard data set? What are the standards and tools available?

Discussion

13:00 – 14:00

Lunch Break

14:00 – 15:15

GATT Article VIII (continued)

Discussion on Technical Aspects of GATT Article VIII (continued)

Broader aspects and implementation tools available for Article VIII

Presenters:

Mr. Tom Butterly, Global Trade Solutions Branch, Trade Development and Timber Division, UNECE

Mr. Karim Gharbi, Tunisia

Topics will include:

- Development of aligned paper and electronic documents based on the United Nations Layout Key for Trade Documents (ISO 6422) and the UN/EDIFACT (ISO 9735), including a practical implementation example from Tunisia.

Discussion

15:15 – 17:00

GATT Article X

Technical Aspects of GATT Article X

Moderator

Ambassador Hassan Doualeh, Djibouti

Presenters:

Mr Bernard Stoven, Expert in Trade and Transport Facilitation (formerly French Customs)
Mr Thomas Sebastian, Advisory Centre on WTO Law

Issues: What kind of information needs to be published and made available under Article X? Would a single entry point be an option for developing countries? Could it be a part of a Single Window system? Is it advisable to publish advance rulings prior to their formal adoption?

Discussion

Broader aspects and implementation tools available for Article X

Presenters:

Mr Ibrahima Diagne
Administrateur Général GAINDE 2000
Dakar, Senegal

Items to be covered include:

- Single Window Implementation
- Single Entry Points for Information

Discussion

17:00 – 18:00

Concluding Discussion on Needs, Priorities and Coordination

Moderator:

Dr. Magdi Farahat, Minister Plenipotentiary, Permanent Mission of Egypt to the WTO, Geneva

Panellists:

Dr. Esperanza Durán, Executive Director, Agency for International Trade Information and Cooperation (AITIC), Geneva
Dr. Cornelius Mwalwanda, Principal Advisor, UNECA Interregional Advisory Services, Geneva
Mr. Maxence Orthlieb, Chief, Trade Facilitation Section, UNCTAD

18:00

Close of the Meeting