Economic Commission for Europe
Inland Transport Committee
Working Party on Customs Questions affecting Transport
163rd session
Geneva, 8 and 9 (a.m.) June 2023
Item 4 (b) of the provisional agenda
Issues in the application of the Convention

Issues in the application of the Convention

Note by the secretariat

The secretariat prepared this Informal document for comments or additional input by the Working Party. As the Informal document is in Word-format, delegates are invited to insert their comments/additions directly into the text and submit their amended version to the secretariat (roel.janssens@un.org).
Cross-Border Facilitation Guidelines

A practical guide to cross-border facilitation

Annex 1

Prepared by Dr Andrew Grainger for the Organization for Security and Co-operation in Europe (OSCE) and the United Nations Economic Commission for Europe (UNECE)

(Version: 6th April 2023)
Annex 1 – Train the Trainer Resources

1 Context

One of the aims for these cross-border facilitation guidelines is to encourage training. The purpose for this Annex is to give trainers pointers about useful complementary resources and activities specific to this publication.

This annex is structured into three parts:

1. Reference to key resources that can be used to complement Chapters 1-4;
2. Reference to key resources that inform on specific cross-border facilitation topics and measures, which can be used to training beyond what is covered in this publication;
3. Reference to additional topics relevant to reform minded, cross-border facilitation policy makers and practitioners, which can be used to training beyond what is covered in this publication.

A good starting point is for trainers to establish their students' learning needs. Ideally, these are established prior to developing and conducting any cross-border facilitation motivated training programme. But even where they have been established, it is always useful to double-check and confirm with individual learners1 prior to (or at the onset of) the delivery of training. Common learning motivations might be:

- To get a better general understanding about why cross-border trade and transport flows should be facilitated, and how that might be achieved;
- Specific to one of the cross-border facilitation themes (i.e., transport facilitation; border and border crossing management; customs facilitation; Non-tariff Measures; the facilitation of trade, transport and customs procedures; the facilitation of financial services; education and training);
- Specific to the implementation of a cross-border facilitation measure or practice in one or more of the overlapping cross-border facilitation themes (e.g., border crossing design and operations; single window systems; electronic documents);
- To gain mastery over the subject by understanding the interplay between themes, principles and topics – as is often required when: working with relevant public and private sector stakeholders; conducting policy and impact assessments; evaluating policy options; etc.).

Ideally, learning activities and course content should be tailored as closely as possible to the established learner’s needs. Formats can range from short overview courses to detailed programmes that underpin professional competencies, such as those of the WCO (see Box 1-6).

In addition to the resources outlined here, trainers should also seek input from learners by building on prior knowledge and drawing on any first-hand expertise. Small group exercises as well as standard scaffolding and flipped teaching methods can lend themselves particularly well for this purpose.

---

1 e.g., during booking, at registration, or in the classroom (in person or virtual)
2 Additional training resources and activities for use with this publication (Chapters 1-4)

Unfortunately, at the time of writing, there are very few international textbooks that cover the topics and themes outlined in these guidelines, in full. Notable exceptions are the following:

- The UNECE’s online Trade Facilitation Implementation Guide at http://tfig.unece.org

Both lend themselves well for additional, complementary reading that learners might find useful. Trainers may also want to showcase the original:


Although the OSCE and UNECE (2012) handbook is dated in many parts, most of the underlying principles still apply. It can also serve well as a useful background text. Trainers may also want to ask learners to reflect on how this 2012 text compares with contemporary cross-border facilitation themes and conversations.

3 Chapter 1

This chapter starts by describing the cross-border trade environment through which trade flows. This is done by reference to trade statistics and supply chain networks. Information is drawn from standard data sources. Learners can, if they so wish, interact with these data sources to explore country specific data.

For economic trade statistics, the following resources lend themselves well:

- Tariff time series: https://data.worldbank.org/indicator/TM.TAX.MRCH.SM.AR.ZS
- Tariff rates by sector: https://stats.wto.org
- FDI inflows: https://data.worldbank.org/indicator/BX.KLT.DINV.CD.WD

There are many other relevant online trade statistics tools. These include:

- The websites of national statistics agencies
- UNCTAD: https://unctad.org/statistics
- International Trade Centre: https://intracen.org/resources/data-and-analysis/trade-statistics

Transport networks can be explored using the following online resources:

- Road, inland waterways, and rail networks, including border crossings, can be examined by using the International Transport Infrastructure Observatory: https://unece.org/international-transport-infrastructure-observatory;

² Which can be downloaded for free at http://www.osce.org/eea/88238
Satellite imagery of transport infrastructure, including border crossings and ports, is freely available on Google Maps⁴ and Google Earth⁵;

Most airlines, railways operators, and shipping lines publish schedules for their timetabled services.

The literature in international supply chain management and subsequent cross-border trade is quite extensive. If a deeper discussion – beyond that of Chapter 1 – is required, then the following texts (amongst many others) lend themselves well:


Border specific controls along with applicable trade, customs, and transport procedures frequently draw in international instruments (covered in Chapter 4). Learners may already be familiar with aspects of applicable compliance requirements, but it is rare that one individual has full insight into the breadth of regulations that can apply. **A good learning exercise is to explore the regulatory requirements and obstacles for a specific trade – e.g., the import of a second-hand car and then explore applicable procedures, routes, and obstacles.** Useful resources for this purpose, include:

- The International Trade Centre’s Market Access Map; see: [https://www.macmap.org](https://www.macmap.org)
- More and more countries have “national trade information portals” with detailed information about trade compliance requirements. These can usually be found easily with a simple web-search.

**Obstacles may also be discussed and classified within the context of Table 2-6.**

Supporting seminal literature for Chapter 1 includes:

- Chapter 6 in OSCE and UNECE “Handbook of Best Practices at Border Crossings – A Trade and Transport Facilitation Perspective” (2012)⁶
- All online resources detailed in Box 1-7; i.e.:
  - UNECE Trade Facilitation Implementation Guide: [https://tfig.unece.org](https://tfig.unece.org)
  - WTO Trade Facilitation Implementation Facility: [https://www.tfafacility.org](https://www.tfafacility.org)

---

⁴ https://earth.google.com/web - a free desktop app with enhanced features can be downloaded
⁵ https://openknowledge.worldbank.org/handle/10986/2544
⁶ Which can be downloaded for free at http://www.osce.org/eea/88238
Informal document WP.30 (2023) No. 8

The following action points and activities may be tasked:

“This Chapter has painted a picture of the international business environment which is characterised by cross-border trade and supply chain activity. It has also touched upon the policies that have enabled this international business environment to come to life, especially with regard to trade liberalisations, FDI, and developments in transport and ICT. This chapter also elaborated on the complexity of compliance requirements and border control efforts. Many cross-border facilitation themes and principles apply, which will be discussed in greater detail in Chapter 2. But before progressing, learners are invited to consider the following action points:

1. Draw-up a list of your country’s main border-crossing and trade gateways. What is your perception of them? Can they be passed easily, or can lengthy delays be expected?

2. Spend some time browsing the UNECE Trade Facilitation Implementation Guide (at https://tfig.unece.org). Are there any ideas or initiatives that captured your specific attention?

3. By reference to your home country, explore how easily businesses can access the markets of your key trade partners. If you like, draw on a specific example – e.g., the import of a second-hand car. Pay attention to:
   a) Transport costs and whether there is scope for public intervention that can bring down transport costs;
   b) Regulatory procedures for a sector of your choice (e.g., by drawing a use case diagram like that of Figure 1-7) and any frictions or challenges that might inhibit cross-border trade flows.

Discuss findings with colleagues. Consider what action points might need to be taken by your and other organisations to improve the cross-border trade flows.

Tip: if you have gaps in your knowledge, seek input from colleagues and other relevant parties. Alternatively, use the internet to search for any transport and trade facilitation type diagnostic or “time release” studies.

By reference to your own organisation, consider the scope for radical innovations with big impacts on cross-border trade flows, as well as scope for continuous improvement that may be less onerous to achieve. Draft a list and discuss with colleagues how performance, by reference to your organisations’ key objectives, can be improved.”

4 Chapter 2

This chapter explores the term “facilitation” within the context of cross-border trade flows as well as the transport services that enable those flows. At its core, this is a conceptual chapter that reviews various literatures – presented as themes – that share the objective of wanting to improve trade flows.
It is likely that learners will already be familiar with some of the conversations. Customs officers participating in training, for example, are likely to be at home in the administration and enforcement of customs procedures, including “customs facilitations”. Trade policy makers and those that work with donors may be familiar with aspects of “trade facilitation”, especially within the context of the WTO Trade Facilitation Agreement. Transport policy makers are likely to be familiar with ongoing cross-border infrastructure developments. Much of the private sector will have first-hand experiences in procedural obstacles, whether regulatory or commercial. They are also likely to have views about the quality and performance of transport services and financial services, amongst other concerns. Smaller businesses and those without international networks are likely to have extensive training and education requirements.

Learner activities can be focused on any one of these themes as well as on the interdependencies between the themes. A good starting point for conversations is reference to the “Supply Chain Reference Model” (Figure 1-6) and the challenges businesses and authorities might experience in their respective relationships. Classroom or workshop conversations may be initially focused on the sharing of perceptions and experiences. Later, upon covering transport costs in Chapter 3, conversations can be steered towards experienced costs (measurable and unmeasurable) along with recommendations for improvement, as well as priority issues that deserve attention.

Complementing resources for the respective themes described in this chapter include:

Transport Facilitation

- The websites of the various international organisations with a transport facilitation mandate (see Table 2-1);
- Box 2-2 with cross-reference to the CMR Convention for conversations about commercial and regulatory transport procedures; and the benefits of paperless documents by reference to the “e-CMR” see: https://www.iru.org/what-we-do/facilitating-trade-and-transit/e-cmr;

Border and border crossing management


7 Which can be downloaded for free at http://www.osce.org/eea/88238
Customs facilitations

- A discussion about Box 2-5 and how the WCO Revised Kyoto Convention related measures are implemented in applicable countries.

Non-tariff Measures


Trade facilitation


Trade finance and payment services

- The websites of leading banks with focus on fees and requirements for making payment, and for obtaining trade finance.

Education and training

- Classroom discussions about options and requirements for learners and their stakeholders;

The following action points and activities may be tasked:

By reference to the listed themes and principles, learners are invited to critically reflect and consider those most relevant. Discuss with colleagues whether specific themes and principles require urgent attention, and the steps necessary to make sure they are adopted.

5 Chapter 3

This chapter covers a lot of ground with focus on cross-border trade costs and the levels of action at which costs can be addressed. The overview also elaborates on public private consultation efforts. An underlying premise is that much of the drive for reform comes from the bottom-up, informed by cost experiences and subsequent activities to help reduce or eliminate those costs.

Learning activities specific to this chapter may be focused on what drives reform and how well learners already understand the costs (and their causes) that undermine cross-border trade and transport flows.

Key complementing resources and discussion material that can be used to complement learning activities include:

8 https://intracen.org/media/file/2645
Trade Costs

- WTO Trade Costs Index: http://tradecosts.wto.org
- Trade cost case study by: Grainger (2013). Trade and customs procedures: the compliance costs for UK meat imports. ePrints. Nottingham, University of Nottingham

Partnerships and levels of action

- Coelho (2019) "From “red tape” to “red carpet”: how the Brazilian AEO Programme has brought Customs procedures to an entire new level." WCO News 88(Feb): 18-21

Consultation


The following activities may be tasked:

1) This Chapter has outlined a wide range of costs. By looking at your own organisation, how well are these costs understood and reported? Is there scope for more active performance measurement? Develop plans.

2) Cross-border facilitation themes discussed in Chapter 2 are based on conversation about areas that deserve attention in order to improve cross-border trade flows. Drivers are what spurs people into action. A key driver for cross-border facilitation are poor transport connectivity and unnecessary high trade and administrative costs. Many countries are also obliged to give cross-border facilitation greater attention by reference to their international obligations – e.g., by reference to:
   - International Convention on the Simplifications and Harmonisation of Customs Procedures - Revised Kyoto Convention (WCO 2006)
   - WTO Agreement on Trade Facilitation (WTO 2014)
     (Discussed in Chapter 4)

Consider, by reference to your own country, what the main drivers in support of cross-border facilitation might be. Could momentum in support of cross-border facilitation be
strengthened through improved policy co-ordination? Discuss with colleagues and consider possible next steps.

3) Reflect on Figure 3-1. How good are you (or your organisation) at co-ordinating cross-border facilitation efforts? Consider whether you (your organisation) can play a more active role.

6 Chapter 4

Key resources here are the texts of the:

- WTO Agreement on Trade Facilitation (WTO 2014)

Learners can also be directed to the itineraries outlined in the UNECE Trade Facilitation Implementation Guide:

- Itineraries: https://tfig.unece.org/itineraries.html

The following activities may be tasked:

1) Discuss how the reviewed international instruments can be used to drive reform from the “top-down”. Reference to Figure 3-1 may be made.

2) Reread this Chapter’s summary of the International Convention on the Harmonization of Frontier Controls of Goods. With focus on Articles 1-10 and Annex VIII or Annex IX, pick a land border crossing of your choice and: 1) consider how each of the listed points have been implemented; and 2) whether there is scope for improvement. Time permitting, look at the original text and repeat the exercise for non-customs formalities (Annex I to VI).

3) Select one of the above itineraries and list key articles from the three reviewed instruments that may lend each of the steps support.

4) Upon reading this Chapter and Chapter 3, are there any urgent cross-border facilitation points you feel must be fixed in your country? If yes, explain their impact in terms of direct and indirect costs (see Chapter 3) and describe how (if at all) those issues are supported by the three listed instruments. Develop a strategy that sets out how support from the bottom-up and top-down for your specific concern can be co-ordinated.
7 Key resources that inform on specific cross-border facilitation measures

Chapter 2 discusses a broad set of themes that have been summarised under the label “cross-border facilitation”. What links these themes is a set of principles by which improvements to trade and transport flows across borders can be achieved. They are broadly associated with:

- Trade and transport capacity building, including the development and co-ordination of hard and soft transport and trade infrastructure;
- The simplification, harmonisation, standardisation, modernisation, and transparency of applicable procedures;
- Activities and practices aimed at improving the performance of border-crossing facilities and trade gateways.

The list of ideas and recommendations by which cross-border facilitation can be achieved is long, though many measures – such as those detailed in international instruments (especially those discussed in Chapter 4) – benefit from their own literature. Key reference resources that expand on each of the measures include:

- The UNECE Trade Facilitation Implementation Guide: https://tfig.unece.org/index.html
- UN CEFACT Recommendations: https://unece.org/trade/uncefact/tf_recommendations

A relatively straightforward way for discussing measures in the first instance is by reference to the WTO Trade Facilitation Agreement. See below table.

<table>
<thead>
<tr>
<th>Article</th>
<th>Article Heading</th>
<th>Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art.3</td>
<td>Advance Rulings</td>
<td>• Example: European Union, BTI Consultation</td>
</tr>
<tr>
<td>Art.4</td>
<td>Appeals</td>
<td>• WCO Implementation Guidance for Section I of the WTO Trade Facilitation Agreement; see; <a href="https://www.wcoomd.org/en/topics/wco-implementing-the-wto-atf/atf.aspx">https://www.wcoomd.org/en/topics/wco-implementing-the-wto-atf/atf.aspx</a></td>
</tr>
</tbody>
</table>

---

<table>
<thead>
<tr>
<th>Article</th>
<th>Title</th>
<th>References</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art.6</td>
<td>Disciplines on Fees and Charges Imposed on or in Connection with Importation and Exportation, and Penalties</td>
<td>- Chapter 3 in this publication with focus on Trade Costs</td>
</tr>
</tbody>
</table>

---

11 Which can be downloaded for free at [http://www.osce.org/eea/88238](http://www.osce.org/eea/88238)
Upon completing this task, students can discuss how the WTO Trade Facilitation Agreement measures match those of related instruments. This can be done by reference to Chapter 4 and the following two resources:


Depending on learning needs, it is likely that any of the listed measures are best discussed in their wider context. Framing resources, in addition to this publication, include the following:

- WTO Trade Facilitation Agreement Facility: https://www.tfafacility.org

Important: Trainers can a) prepare specific reading lists that draw on the above resources or b) task learners with identifying suitable resources and bring these in for discussion in a classroom type environment. Trainers can also draw on presentations from experts and practitioners who have had first-hand involvement in implementing any of the listed measures.

Useful classroom discussions can also be sparked by reference to national trade facilitation action plans and strategy documents (if available). See, for example:


8 Additional topics

This publication may be extended by drawing on (see previous section) or commissioning technical papers and chapters that are relevant to key cross-border facilitation topics or measures. However, it is just as
relevant to think about how cross-border facilitation requirements can be incorporated into ongoing professional practice. To this end, there are several topics that have their own literature (and resources) that can be applied to cross-border facilitation type issues and challenges. This includes topics like:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Performance management, including measuring cross-border facilitation performance</td>
<td>- Grainger, A., K. Bartels, T. Boskovic, S. Milosevic, M. Rackovic, C. Sowinski and S. Pope (2021). “What the example of Montenegro’s new pre-arrival processing capabilities tells us about Customs performance measurement.” <em>WCO news</em> 94(Feb)</td>
</tr>
<tr>
<td>Project and financial management</td>
<td>- National government and donor specific guides to project management and the spending of public resources</td>
</tr>
<tr>
<td></td>
<td>- Project management textbooks, such as the Open Textbook publication by Watt (2014)</td>
</tr>
<tr>
<td>Law and legal systems</td>
<td>- Authoritative texts specific to the country concerned</td>
</tr>
<tr>
<td></td>
<td>- National trade information portals (online), if available</td>
</tr>
<tr>
<td></td>
<td>- Chapter 4</td>
</tr>
<tr>
<td>Design of operations facilities and systems</td>
<td>- Chapter 2, Section “Border crossing facilities design”</td>
</tr>
<tr>
<td></td>
<td>- Tompkins (2010). <em>Facilities planning (Fourth Edition)</em>. Chichester, Wiley</td>
</tr>
</tbody>
</table>

Inspiration for the development of learning resources can be drawn from professional standards like those of the WCO Picard Standard (WCO 2019a), amongst others. The OSCE very much welcomes suggestions and feedback for the further development of this publication, as well as its use in training type activities.
9 References


Coelho, Fabiano (2019), 'From “red tape” to “red carpet”: how the Brazilian AEO Programme has brought Customs procedures to an entire new level', WCO News, 88 (Feb), 18-21.


--- (2013), 'Trade and customs procedures: the compliance costs for UK meat imports', ePrints (Nottingham: University of Nottingham), 50.

Grainger, Andrew and Morini, Cristiano (2019), 'Disentangling cross-border interactions', The international journal of logistics management, 30 (4), 958-73.


Informal document WP.30 (2023) No. 8


--- (2019a), 'PICARD Professional standards', (Brussels: World Customs Organisation).


WTO (2014), 'Agreement on Trade Facilitation (WT/L/931)', Preparatory Committee on Trade Facilitation, (Geneva: World Trade Organization).
