



Asia-Pacific
Economic Cooperation



BLUEPRINT APEC

SUB-COMMITTEE
ON CUSTOMS
PROCEDURES

TOWARDS A DYNAMIC COMMUNITY FOR
SUSTAINABLE DEVELOPMENT AND PROSPERITY

NOVEMBER 2006



Asia-Pacific Economic Cooperation

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Asia-Pacific
Economic Cooperation

APEC MEMBERS ECONOMIES

Australia
Brunei Darussalam
Canada
Chile
People's Republic of China
Hong Kong, China
Indonesia
Japan
Republic of Korea
Malaysia
Mexico
New Zealand
Papua New Guinea
Peru
The Philippines
Russia
Singapore
Chinese Taipei
Thailand
The United States of America
Viet Nam

OBSERVERS

ASEAN Secretariat
Pacific Economic Cooperation Council (PECC)
South Pacific Forum (SPF)

This document contains information on the implementation of the Sub-Committee on Customs Procedures' (SCCP) Collective Action Plan and work program. Originally published in October 1997, the SCCP Blueprint is a "living" document which is updated annually. The 2006 Blueprint is available at <http://www.sccp.org>

The SCCP invites business community to provide inputs directly to info@sccp.org or to any of the SCCP Members through their contact points listed at the back of this document.

Introduction

APEC established the Sub-Committee on Customs Procedures (SCCP) in 1994, with the aim of simplifying and harmonizing regional customs procedures to ensure that goods and services move efficiently, effectively and safely through the region.

The SCCP is committed to declaring its objectives, action plans and achievements through the annual publication of the SCCP Blueprint, which it has done since 1997. The SCCP's intention is to facilitate business planning by providing views on where customs modernization is headed. Given the varying levels of development and the differing emphases on aspects of customs administrations' mandates across the region, this blueprint will enable APEC customs administrations to modernize at their own pace, while serving as a benchmark for measuring overall progress. The SCCP Blueprint, with its annual updates, is a "living document" providing real and lasting benefits to the Asia-Pacific business community.

"Towards a Dynamic Community for Sustainable Development and Prosperity" is the central theme for APEC 2006, hosted by Viet Nam. In 2006, the SCCP addressed a number of important issues, including trade facilitation, IPR enforcement and APEC reform. The Trade Facilitation Working Group completed its Shanghai Goal Final Report; the SCCP published a handbook on IPR Enforcement Strategies; and a number of recommendations to strengthen the SCCP's work program and improve its working methods were adopted.

In addition, the SCCP attended to the implementation of its collective action plan (CAP) items, with significant activity in

implementation of the APEC Framework for Secure Trade and the conduct of time-release surveys. CAP implementation is supported with technical assistance programs specifically developed for each SCCP CAP item and program.

In recognizing the importance of the partnership between customs and business, the SCCP organized the annual APEC Customs-Business Dialogue (ACBD) in September 2006 in Da Nang, Viet Nam. The theme of the event was "improving a secure and favourable business environment through enhanced partnership and cooperation between customs and the business community", and the dialogue focused on two areas: international supply chain security and trade facilitation; and enhanced customs and business partnership for a more effective and efficient fight against counterfeiting and pirated goods. The dialogue provided the international trading industry with the opportunity to become involved in the initiatives of the SCCP.

APEC Member Economies have undertaken tremendous ongoing efforts to modernize customs administrations by simplifying and harmonizing customs procedures and taking steps to address systemic problems. Impressive and real changes are taking place. To reap the benefits that APEC promises, customs administrations will continue to work with business to develop faster, more secure border control mechanisms, balancing public protection and trade facilitation.

The SCCP looks forward to expanding its partnership with business and invites more active participation and cooperation from the business community.



Sub-Committee on Customs Procedures

6 - 9 September 2006 / Da Nang, Viet Nam



**“Towards a Dynamic Community
for Sustainable Development and Prosperity”**





Asia-Pacific
Economic Cooperation



BLUEPRINT

APEC

SUB-COMMITTEE ON CUSTOMS PROCEDURES

VIETNAM 2006

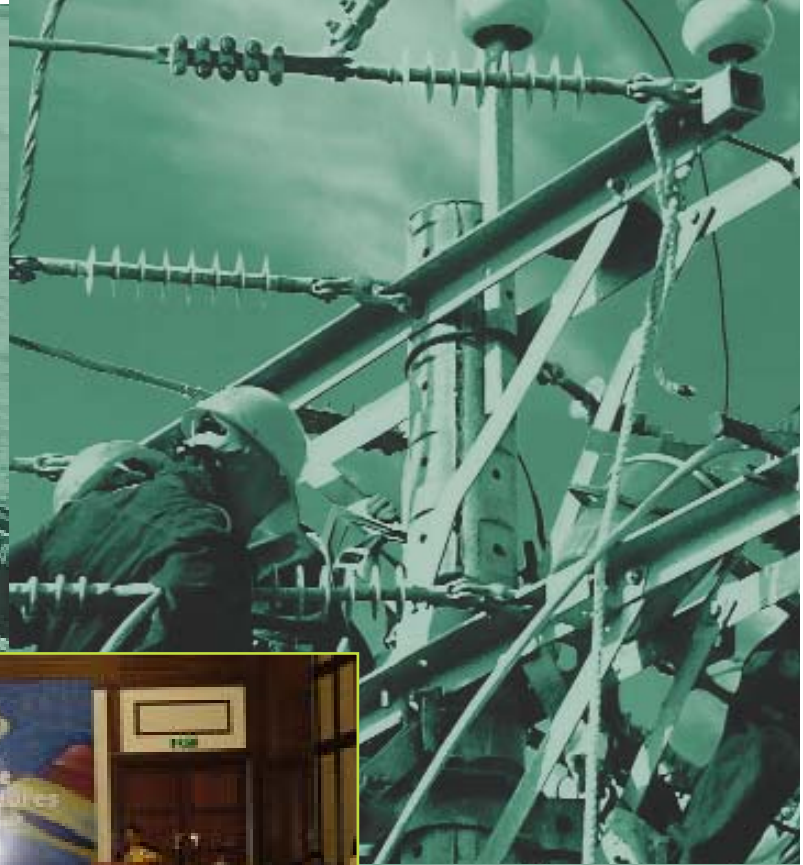
VIETNAM 2006

VIETNAM 2006

VIETNAM 2006

VIETNAM 2006

VIETNAM 2006





PRIORITIES AND PLEDGES

2006 CUSTOMS-RELATED PRIORITIES OF APEC SENIOR OFFICIALS

- Promote APEC cooperation to enhance trade and investment
 - APEC support to the WTO Doha Development Agenda
 - Implement the Busan Roadmap
- Promote integration capacity through human resources development, IT cooperation, and partnership for development
- Enhance human security, including counter-terrorism and health security
- Promote anti-corruption and transparency
- Reform APEC towards a more dynamic and effective community

2006 PRIORITIES OF THE COMMITTEE ON TRADE AND INVESTMENT

- Support for the multilateral trading system
- Regional trade agreements and free trade agreements (RTAs/FTAs)
- Trade facilitation
- Transparency and anti-corruption
- Digital economy and strengthening intellectual property rights (IPR)

THE SUB-COMMITTEE ON CUSTOMS PROCEDURES WILL STRIVE TO:

- Facilitate legitimate trade and investment in the APEC region
- Maintain its role in protecting the community
- Simplify and harmonize customs procedures
- Improve the speed, accuracy and transparency of customs transactions
- Establish levels of service to provide traders with certainty
- Promote the professionalism and integrity of customs administrations
- Encourage voluntary compliance in APEC Member Economies
- Consult regularly with the APEC business community to ensure that its activities meet their needs
- Form strategic partnerships with interested APEC business representatives
- Provide Members with the required technical assistance to promote efficiency, effectiveness and equity
- Tailor the pace of progress to the diverse needs and abilities of APEC Member Economies

FACTS AND TRANSPARENCY STANDARDS

FACTS: THE SCCP'S GUIDING PRINCIPLES (FUKUOKA, JAPAN, 1995)

- > **Facilitation**
- > **Accountability**
- > **Consistency**
- > **Transparency**
- > **Simplification**

APEC Leaders' Transparency Standards on Customs Procedures

On 27 October 2002, APEC Leaders adopted the principles of implementing APEC transparency standards. At that time, the SCCP developed transparency standards on customs procedures for incorporation into the Leaders' Declaration. Those standards include:

- Each Member Economy will promptly publish and make available on the Internet, information on its customs laws, regulations, procedures and administrative rulings of general application in such a manner as to enable interested persons to become acquainted with them.
- Each Member Economy will, to the extent possible, publish in advance any regulations of general application governing customs procedures proposed for adoption, and provide a reasonable opportunity for comments from interested persons.
- Taking into account Member Economies' individual circumstances, upon request from an interested person in its territory, each Member Economy, whenever possible, will provide for the issuance of advance rulings based on specific facts and circumstances provided by such requester prior to the importation of a good into its territory, for areas such as:
 - o Tariff classification;
 - o The application of the provisions set forth in the WTO Agreement on Customs Valuation;
 - o The application of duty drawback;
 - o Country of origin marking requirements;
 - o The application of rules of origin under free trade agreements and other preferential tariff regimes; and
 - o Admissibility requirements.
- Subject to domestic confidentiality requirements, each Member Economy will make such advance rulings publicly available for purposes of ensuring application of the rulings to other goods where the facts and circumstances are the same as those under which the rulings are issued.
- Each Member Economy will maintain procedural transparency and fairness in customs procedures by:
 - o Providing for the prompt review and correction of customs administrative actions;
 - o Ensuring that importers are provided with the right to a level of administrative review independent of the employee or office issuing the determination subject to review;
 - o Maintaining the availability of judicial review of customs administrative determinations.
- Each Member Economy will maintain one or more contact points to which interested parties can address questions concerning customs matters, and shall make available on the Internet information concerning the procedures for making such inquiries.

Serving Business

APEC Customs-Business Dialogue

The APEC Customs-Business Dialogue is one of the most important annual activities of APEC SCCP and has proved to be an useful forum and excellent opportunity to both APEC Customs administrations and business community for exchanging their ideas and discussing the role of Customs and its future direction. This also has been one of the Leaders and Ministers top priority areas since 2001. The 2006 APEC Customs-Business Dialogue (ACBD) was hosted by Vietnam Customs in Da Nang, Viet Nam on 5 September 2006, under the theme of “Improving a secure and favourable business environment through enhanced partnership and cooperation between customs and the business community”.

The Dialogue welcomed Mr. Kunio Mikuriya, Deputy Secretary General of the World Customs Organization, high ranking representatives from Member Customs Administrations and worldwide known enterprises to give speeches and over 120 participants from international customs and regional business community. Initial set aims of the Dialogue have been fully achieved with the practical and fruitful discussion covering most recent concerned issues of both Customs and Business sides with its two sessions.

■ **SESSION I:** Supply chain security session discussed the sub-theme of “International trade supply chain security and trade facilitation—perspectives and future challenges for customs and the business community”. The moderator of the supply chain security session was Mr Nick Small, Director of UNISYS Asia-Pacific and the session featured speakers from the WCO, International Chamber of Commerce Asia, FedEx, The Philippines Bureau of Customs, IBM and Royal Malaysia Customs.

The speakers reinforce the message that secure trade is an important issue for the customs and business sectors. The complexities show that it is not something that will be resolved overnight, but should be addressed as a high priority. The session saw endless efforts and wishes to balance between improving a secure and favorable business environment from both Customs and Business.

■ **SESSION II:** IPR session discussed the sub-theme of “Enhanced customs and business partnership for a more effective and efficient fight against counterfeiting and pirated goods”. The moderator of the IPR session was Mr Daniel Baldwin, Assistant Commissioner, US Customs and Border Protection and the session featured speakers from Intellectual Property Rights Experts Group, the WCO, the Business Council of Papua New Guinea, Vietnam Customs and Hunt & Hunt Lawyers.

Piracy is now a growing global problem which makes a serious impacts on the economic. Thus, it must be deal with at the source basing on good information sharing as well as strong and effective partnership between Customs and business in order to identify and intercept infringe goods at the border. Good practices, suggestions and recommendations to fight against counterfeiting and piracy was openly shared among customs and business community within the session.

In conclusion, the Dialogue has served as a good chance to enhance the strategic partnership and cooperation between Customs and the business community to improve communication toward trade facilitation, its positive outcomes was recognized and highly appraised by the two sides.



“Towards a Dynamic Community for Sustainable Development and Prosperity”

Meet the Speakers

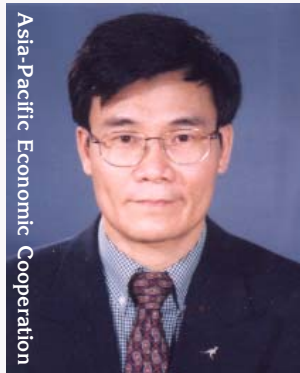




Kunio Mikuriya
Deputy Secretary General, World Customs Organization (WCO)

From the WCO point of view, the current major issues are security and facilitation of the trade supply chain, which also supports WTO negotiations on trade facilitation and, increasingly, protection of intellectual property rights. Those are the two areas that were covered by this year's APEC Customs-Business Dialogue. The WCO always looks to APEC for best practices, because what we need is knowledge, wisdom, and guidance based on hands-on experience, and quite often, this comes from APEC member economies. Based on inputs from regions, in particular APEC, we can develop a global level of best practices to be emulated by other regions.

APEC has adopted the APEC Framework in support of WCO standards and its implementation, including the way towards mutual recognition of customs controls and partnerships with compliant traders (Authorized Economic Operator), is where we see how APEC economies can help. It is in this context that we are looking at customs and business partnerships as these are relationships in which this region excels.



VU NGOC ANH
Deputy Director General, Viet Nam Customs

For APEC 2006, Viet Nam Customs focused the discussion of the APEC Customs Business Dialogue on the facilitation of global trade, security and intellectual property rights (IPR) protection. Our discussions explored the application of risk management and public-private partnerships. The Authorized Economic Operator program is, of course, a very interesting and very useful program. I think it will be successful if it takes into account the interests of the small and medium enterprises which are the majority of businesses in all developing economies.

For customs administrations in APEC there are a lot of challenges, partly because of the differences in the level of development in member economies. These disparities create difficulties in the harmonization of customs activities due to the level of informatization, automation or even the application of Internet standards. Other challenges for customs in our region are the problems of counterfeiting, piracy, smuggling and commercial fraud.

To take a unified approach, SCCP members have embraced 16 collective actions plans concerning tariff harmonization, the Advanced Classification Ruling System, paperless trading and capacity building. With technical assistance, individual actions taken by each customs service, and if we strictly apply the standards of WCO to the private and public sectors, I think APEC may quickly harmonize the customs activities in our region.

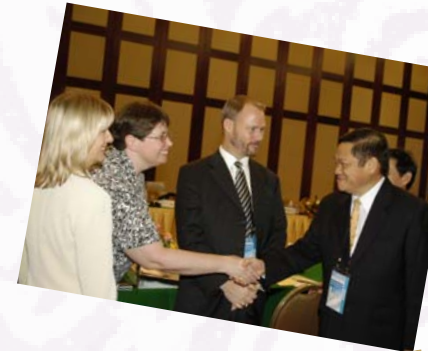


NICK SMALL
Regional Sales Director, Unisys Corporation

Unisys has just embarked on an APEC program focused on smart and secure trade lanes. The initiative not only looks at the technologies that are being put in place to improve trade security and supply chain security, but it also focuses on the economic impact of this type of program. Very rightly, APEC has recognized that it's important to assess these tools, techniques, procedures, and technologies in the context of economic impact.

Obviously for developing member economies, standards or mandates that focus potentially on the use of technologies could be very restrictive and could have a significant economic impact. Therefore, this program that APEC is undertaking provides a means to measure that impact, assess whether the supply chain security initiative will have a negative impact from an economic perspective and ascertain whether it places them in a position to improve their ability to trade both within APEC and across the globe.

I think APEC plays a pivotal role in spearheading and setting global standards for supply chain security in this region.





LEE JU SONG
International Chambers of Commerce (ICC), Asia

APEC's Sub-Committee on Customs Procedures (SCCP) plays a vital role in the harmonization of customs procedures through the internationalization of customs practices which have a beneficial impact on economic growth.

To achieve the successful implementation of the ATA Carnet system, the ICC would like to recommend that the SCCP set up a customs business implementation committee. The committee would focus on a technical assistance framework providing help to the seven remaining APEC member economies which have yet to join the system.

The SCCP has been one of the most dynamic forums within APEC as it engages its members as well as the private sector in deliberation on trade security, facilitation and the modernization of Customs procedures.

This approach has brought about a much strengthened Customs-Business Partnership as the SCCP is committed to providing businesses with a role in shaping the Customs landscape in the Asia-Pacific region.



NGUYEN DUY BINH
Senior Country Manager, FedEx Indochina

The world is getting smaller. Customers nowadays demand faster and cheaper modes of transportation to move their shipments from point A to point B and to provide total supply chain logistics to support their business. It is critical for APEC member economies to modernize clearance systems to support businesses.

I have seen a number of initiatives between Viet Nam and other APEC customs administrations to help Viet Nam Customs establish the WCO Framework, especially with regard to modernizing clearance systems and processes. In particular, FedEx is involved in two of these initiatives including the e-Manifest for Pre-Clearance System and Project ACCESS (Asean Customs Clearance Express Shipments System). Collaboration and cooperation in this area has been very, very fruitful.

The express clearance process that FedEx is introducing in Viet Nam, through the e-Manifest System, will ensure that small and medium-sized businesses will have the same opportunities as the larger customers to ship their products and compete in the world market. Project ACCESS is an on-going initiative between the Conference of Asia Pacific Express Carriers, CAPEC and Vietnam Customs to help Vietnam Customs meet its WCO guidelines.

We believe our close working relationship with Vietnam Customs on these important projects will present an opportunity for big companies, as well small and medium-sized businesses, to be able to leverage our infrastructure and receive those trade facilitation benefits.



REYNALDO S. NICOLAS
Deputy Commissioner, Philippines Bureau of Customs

The SCCP is concerned with the harmonization and simplification of customs procedures. Between SCCP meetings, Philippines Customs has been conducting dialogues with the private sector and other stakeholders to consult with them regarding certain improvements that will be implemented by the Bureau of Customs.

In the case of the Philippines, we are going to implement the Automated System for Customs Data (ASYCUDA) program. This is improved and enhanced software to facilitate trade by speeding up the clearance process through the use of information technology and reducing and simplifying customs documentation and procedures.

Recently, we bought machines from China which are already being used by the Bureau of Customs to scan containers to detect smuggled shipments and those shipments that may contain weapons of mass destruction. This initiative, not only provides port security, but also facilitates trade.



ANDREW JACKSON
Government Programs Executive, IBM Australia/New Zealand

Given our interests in logistics and operations in 160 countries, supply chain security is a key focus at IBM just as it is for APEC. We're very interested in whether APEC will adopt standardized processes within their economies under the auspices of the World Customs Organization's (WCO) Framework. This would provide a foundation for information sharing, not only between customs administrations, but between customs and industry, to ensure that supply chains are as secure as possible. We care deeply about this issue considering that 60% of IBM's top import and export markets are within the APEC region.



DANIEL BALDWIN
Assistant Commissioner, US Customs and Border Protection

It is incredibly important to have the opportunity to talk with the other APEC member economies and the business community at the APEC Customs-Business Dialogue (ACBD) about the various challenges and the potential solutions, including risk modeling and post-entry verifications, to the intellectual property rights' problem,. Certainly, a partnership approach is needed to combat piracy and counterfeiting and a communication strategy is absolutely critical.

The challenges discussed at the ACBD focused on the levels of sophistication in enforcement, our communication efforts, and how to address IPR thefts within our current legislation and current capabilities. In this context, we discussed how to make sure we are giving the correct level of awareness to each of the member economies and each of our citizens to address that problem accordingly.

We need to find where those synergies and linkages are so we can partner together to take on different solutions given the various levels of abilities of each of the APEC member economies. What we really need to strive for is to find those areas where we can compliment each other's approach and where one economy can help another economy overcome the challenges of fighting counterfeiting and piracy thefts.



SIVAKANT TIWARI
Chair, APEC Intellectual Property Experts' Group

The APEC Intellectual Property Experts' Group (IPEG) is very conscious of the problem of counterfeiting and piracy. Advances in technology over recent years has meant that criminals can conduct counterfeiting and piracy activities more easily and goods can be moved much more easily across borders than in decades past. I think the first step should be to tackle the problem at its source.

What APEC needs is a partnership between business and the authorities to have a balanced system which helps to regulate but which will not stifle business. The rules should be simplified to make it easier for businesses to carry on world commerce.

In the IPEG we're also trying to see how to build capacity by training customs officers to be better prepared to tackle this particular problem that we face in world commerce.

I personally feel that we should really work towards a unified approach within APEC to improve the trading environment. Greater harmonization makes it easier for the authorities of different economies to cooperate with each other and for businesses to feel comfortable that the system in one economy is similar to that of another. It becomes a seamless kind of approach.





NGUYEN TRONG HUNG
Deputy Director, Supervision and Control Department, Vietnam Customs

Viet Nam Customs pays attention to business activities in APEC. Examples include protecting intellectual property rights (IPR), reforming customs procedures, and modernizing customs activities.

Counterfeit and pirated goods in Viet Nam are a serious problem. To fight against this, Viet Nam has legal frameworks, in line with the TRIPS Agreement, addressing customs laws and IP laws, and has issued many decrees guiding the protection of IP.

But the IP holders are not always certain about their benefits so they may not have worked closely with customs and other agencies. At the same time, knowledge of IP by customs officers now is not good. The private sector must be sure about their benefits on the protection of IP and cooperate with the customs while we train officers on IP laws.

Each member economy must cooperate together on IP so that in the future APEC is successful in its promotion of IP protection.



ANDREW HUDSON
Partner, Hunt & Hunt

Dealing with intellectual property is the number one concern for my clients who are interested in taking advantage of free trade agreements. The APEC initiative to fight counterfeiting and piracy is an extremely good measure. It is one thing to prevent counterfeit goods from entering an economy, but I think customs authorities should strive to stop these infractions at the port of export. These initiatives protect people's investment.

For small business holders of intellectual property, protection is very difficult and expensive. Small and medium enterprises are forever seeing their goods being imported by people who aren't the legitimate license holders, selling them cheaply and ruining their market share.

To improve the trading environment, businesses need to feel that the government is helping them at the point of export, as well as import. This is an initiative that business could embrace.





Information Sharing

Customs and Trade Facilitation Handbook

Trade facilitation means the smooth flow of products across national borders. In view of the significant economic impact of global trade, APEC Member Economies stand to gain the most if they can achieve efficient and effective border operations. By the same token, the business community also has a great deal to gain from more efficient and harmonized customs procedures.

The APEC Customs and Trade Facilitation Handbook takes a tangible step toward trade facilitation by providing the trade community with laws, regulations and procedures of the advance customs rulings of various APEC Member Economies' customs.

The SCCP and the APEC Business Advisory Council (ABAC) cooperated in publishing this handbook. It is but one example of the achievements that can be made through a successful public-private partnership and is expected to set a precedent for other international organizations.

Customs-Business Partnership Programs Handbook

Responding to APEC Ministers' directives on trade facilitation and enhancement of interaction with the business sector, in 2001 the SCCP endorsed a set of measures to foster Members' cooperation and communication with the business sector. In late 2001 Hong Kong, China compiled the Customs-Business Partnership Programs handbook, based on a survey of Members to understand the implementation status of partnership programs in the region.

The Customs-Business Partnership Programs handbook was updated in 2004 and again in 2006, and is provided as a reference tool for the business community. The handbook also serves as a useful guide for those who are planning to expand their existing partnership programs or implement new programs. The handbook can be found on the SCCP website at <http://www.sccp.org>

“Best Practices” Handbook on Public Availability of Information

Public availability of information on the customs laws, regulations, administrative guidelines and rulings is important in improving customs transparency. It ensures that traders have all the pertinent information for business decisions through customs' provision of accurate, consistent and user-friendly information.

Based on the information provided by APEC Member Economies, the “Best Practices” Handbook: Information Dissemination Instruments of Member Economies was updated by Hong Kong, China in 2005. It contains all the contact information and cooperative engagements each APEC customs administration has with respective business sectors and includes telephone, fax numbers, internet website addresses, counter service information and mass media publications. The handbook can be found on the SCCP website at <http://www.sccp.org>



APEC Tariff Database

The availability of information on customs matters is one of the key elements of trade facilitation. The trade community often needs specific information, especially about tariffs in foreign markets, when making important business decisions.

In order to provide more accessible trade information, APEC operates the Tariff Database website based on the Harmonized Commodity Description and Coding System (HS) which is the international language of trade. It provides users with easy access to APEC Member Economies' tariff information, tariff schedules, concessions, prohibitions etc. The database can be found at <http://www.apectariff.org>. Tariff data in this database is reproduced with the permission of the WCO and APEC Member Economies and with support from of the APEC Secretariat and Federal Express.



SYSTEM USAGE

The usage record for Jul – Dec 2005 has been:

	JUL	AUG	SEP	OCT	NOV	DEC	Total :
Registrations	1,302	1,404	1,352	1,103	1,206	958	7,325
Emails	26	37	24	18	23	18	146
Logins	6,350	7,241	6,629	5,149	5,680	4,713	35,762
Economy Views	21,543	23,879	22,928	21,466	24,493	21,511	135,820
Chapter Lookups	8,441	9,173	8,779	7,912	8,758	7,150	50,213
Tariff Number Lookups	3,698	6,026	4,023	2,812	4,237	3,493	24,289
Description Lookups	8,103	10,004	10,542	7,243	8,657	7,611	52,160
Alphabetic Lookups	5,567	7,033	6,948	4,944	5,363	4,817	34,672
Tariff Heading Lookups	22,308	24,493	21,785	22,123	21,397	43,801	155,907

	JUL	AUG	SEP	OCT	NOV	DEC	Total :
Australia	10,980	11,184	11,423	8,721	8,228	10,864	61,400
Brunei	501	588	689	635	630	648	3,691
Canada	4,260	4,991	5,369	4,412	5,130	6,403	30,565
Chile	1,887	1,467	1,618	2,210	2,058	4,719	13,959
China	7,417	8,878	7,878	6,265	7,647	6,180	44,265
Hong Kong, China	674	671	746	692	787	756	4,326
Indonesia	2,350	2,967	2,151	2,040	2,930	2,048	14,486
Japan	7,617	10,632	9,514	8,465	10,231	9,783	56,242
Korea	3,965	3,441	3,534	4,042	4,540	6,528	26,050
Malaysia	6,098	9,065	7,284	6,285	6,312	9,882	44,926
Mexico	3,894	3,791	4,560	4,077	4,167	6,780	27,269
New Zealand	1,411	1,057	1,161	1,821	1,341	3,740	10,531
Papua New Guinea	509	557	733	658	844	1,642	4,943
Peru	1,206	1,496	985	1,590	1,388	1,499	8,164
Philippines	2,085	3,051	3,219	2,545	1,875	1,642	14,417
Russia	368	380	409	450	467	404	2,478
Singapore	1,466	1,611	1,249	1,125	1,442	1,401	8,294
Chinese Taipei	1,115	1,345	1,107	1,203	1,410	3,667	9,847
Thailand	3,233	3,936	2,563	1,831	2,694	2,596	16,853
United States	7,285	7,598	7,349	6,227	6,978	6,260	41,697
Viet Nam	468	468	431	462	506	443	2,778

SCCP Website

Customs administrations of APEC, the most dynamic economic region in the world, are searching for faster, less costly and better ways to facilitate trade and protect borders. The SCCP website provides information about customs in the Asia-Pacific region and the SCCP.

Thanks to the continuous efforts by the Canada Border Services Agency, the SCCP maintains a website with up-to-date information, focusing on cooperation in customs-related matters and measures to harmonize customs procedures to facilitate trade among APEC Member Economies. The website can be found at <http://www.sccp.org>

Towards a Dynamic Community

Trade Facilitation

In 2001, APEC Leaders adopted the Shanghai Accord, committing to reduce trade transaction costs within the APEC region by the end of 2006.

In response, the SCCP established the Trade Facilitation Working Group in 2004 to meet the SCCP's obligation to report on the customs initiatives within Member Economies that assist in achieving the trade transaction cost reduction target of 5% under the Shanghai Accord. The SCCP tabled its Shanghai Goal Mid-Term Report in 2004.

The Trade Facilitation Working Group completed its Shanghai Goal Final Report in 2006. The report provides qualitative examples of initiatives undertaken by SCCP members to reduce trade transaction costs. To make the report more relevant to business, the final report links the trade facilitation examples of SCCP members with the priorities for customs administrations that have been identified by ABAC.

Customs administrations from the APEC region have achieved significant progress in streamlining, upgrading and harmonizing their activities. The case studies, documented in the final report, demonstrate the commitment of SCCP members to improved trade facilitation arrangements in an environment of increased security scrutiny.

Other trade facilitation activities relevant to the SCCP during 2006:

- In May 2006 the SCCP Chair presented a report on the SCCP's trade facilitation initiatives and work plan to a Public-Private Dialogue on Trade Facilitation, which was held in Ho Chi Minh City.
- SCCP members completed a questionnaire for input to the Final Review of APEC's Trade Facilitation Action Plan (2001-2006) and Suggestions for Future Initiatives. This report suggests some potential collective actions for 2006-2010:

- o Creation of a single window for customs clearance

- o Provision of all customs-related information in e-format

- o Carrying forward the WTO trade facilitation agenda into APEC and beyond

- o Commitment to the peer review process and reporting

- o Adopting the trade facilitation indicators used in the World Bank's Doing Business in 2006 report (available at www.doingbusiness.org - refer to the section on "trading across borders").

IPR Enforcement

At the APEC Economic Leaders' Meeting in 2005, the importance of Intellectual Property Rights (IPR) protection was acknowledged.

The SCCP recognises that a comprehensive IPR system is important to trade because it provides confidence to business that rights will be respected and that profits will be returned to IPR holders when goods and services are traded in the region. Furthermore, the SCCP believes that a strong IPR system will boost economic growth, promote investment and develop industries that promote creativity and innovation.

While the Intellectual Property Experts Group (IPEG) has overall responsibility for IPR in APEC, customs administrations play an integral role by enforcing IPR at the border.

To demonstrate its commitment to IPR protection, during 2006 the SCCP compiled an inventory of IPR enforcement strategies. The IPR Enforcement Strategies handbook is intended as a reference tool for customs administrations and businesses in the APEC region. A copy of the handbook can be downloaded from the APEC website at www.apecsec.org.sg

APEC Reform

In 2005 APEC Economic Leaders highlighted the need for continued reform efforts to make APEC a more efficient and result-oriented organization. In response, APEC senior officials established the "Reform Friends of the Chair 2006" group to assist senior officials in setting the direction of and formulating the APEC reform agenda for 2006 and beyond.

The SCCP established an informal working group of its own in 2005 to review the work and operation of the SCCP and make recommendations to strengthen and improve its current practices.

The informal working group completed its work during 2006 and submitted its final report to the SCCP. The report contained fourteen recommendations across three areas: adopting APEC priorities; the work program; and working methods.

The SCCP agreed to all fourteen recommendations and took steps to ensure implementation of the recommendations was carried out as a priority.

APEC Priorities: the SCCP established an important new mechanism to ensure that the SCCP is active in identifying initiatives that support APEC priorities as set down by Economic Leaders. The mechanism is an SCCP Friends of the Chair group to be established each year following the second meeting of the SCCP. This group will assist the incoming Chair to identify priorities and initiatives for the following year that link well with other APEC fora, and are planned to meet APEC budgetary cycle requirements.

SCCP Work Program: the SCCP addressed concerns about current CAP management and reporting.

SCCP Working Methods: the SCCP adopted working procedures that will better deal with routine matters outside of the formal meeting, allowing more time in the agenda for discussion of future initiatives and projects.

Collective Action Plans Initiatives



CAP Initiatives

Stage 1 CAP Items

CAP items that need further technical assistance for proper implementation

Simplification and Harmonization on the Basis of the Revised Kyoto Convention

The International Convention on the Simplification and Harmonization of Customs Procedures (Revised Kyoto Convention) provides a foundation for modern and efficient customs procedures. Its adoption and implementation would deliver tangible benefits to the region by increasing transparency and efficiency in customs administration while contributing to reduced transaction costs and enhanced trade security.

The Revised Kyoto Convention Pathfinder Initiative, a two-stage project, was developed as a tool to aid the accession process of APEC Member Economies. Stage one resulted in the creation of a guidebook called *The Revised Kyoto Convention: A Pathway to Accession*. Stage two was the delivery of technical assistance. With these two projects completed, the SCCP agreed during its September 2005 meeting to incorporate the Pathfinder into the Revised Kyoto Convention CAP item, and deliver any future technical assistance under the CAP.

Japan and New Zealand are the coordinators of this CAP item. As of August 2006, seven APEC Member Economies have acceded to the body and general annexes of the Revised Kyoto Convention (Australia, Canada, China, Japan, Korea, New Zealand and the USA).

Harmonized APEC Data Elements

The SCCP embraced this CAP item in order to simplify and harmonize data in customs procedures, providing a guideline and a framework to each Member Economy in making informed decisions about international harmonization. A harmonized data model concept was first agreed to by the G7 countries. The WCO took over the maintenance and management of the Data Model Initiative in order to advance the work into a global customs standard. To date, 18 Member Economies have introduced a computerized customs clearance system and sixteen Economies have adopted common data elements for customs clearance of goods. Fifteen Economies have completed the study on the G7 EDI standard.

This CAP item is coordinated by Canada. Australia and Canada have provided technical assistance to seven Member Economies and six Economies have expressed a need for technical assistance.

APEC Framework for Secure Trade

With APEC's expanded mandate to "create an environment for the secure and efficient movement of goods, services and people across borders in the region through policy alignment and economic and technical cooperation," the SCCP adopted this new CAP proposal in 2005. The APEC Framework for Secure Trade is based on the WCO Framework of Standards to Secure and Facilitate Global Trade.

To support the new CAP item and to expand Members' knowledge of the APEC Framework, the USA arranged workshops during the second SCCP meeting in 2005 and the second SCCP meeting in 2006. The 2006 workshop in Da Nang, Viet Nam focused on enhancing participants' understanding of the "Authorised Economic Operators" (AEO) concept, which will enable members of the business community to be recognised as supply chain security compliants in other Member Economies.

The monitoring of the current level of implementation contained within the APEC Framework is undertaken by each Member Economy.

It should be noted that ABAC endorsed the APEC Framework and included a statement supporting APEC's implementation of the Framework in its 2005 report to APEC Economic Leaders. Leaders welcomed this new initiative in their annual declaration in November 2005.

Japan, Korea and the USA are coordinators of this CAP item.

Time-Release Surveys

Just-in-time delivery of goods is important for business and the Time-Release Survey (TRS) has been a useful tool for identifying bottlenecks in customs-related procedures and for improving efficiency and effectiveness.

TRS was adopted as a CAP item of the SCCP in February 2005, as a meaningful tool for self-assessment and further trade facilitation. As of September 2006 four workshops have been held—in China, Indonesia, Malaysia and Thailand.

Indonesia, Japan and Korea are the coordinators of this CAP item. The next three workshops are scheduled to be held in Brunei, Chile, Viet Nam starting with 2007.





Stage 2 CAP Items

Technical assistance has been completed as planned and the majority of Member Economies have indicated completion of most CAP objectives

Harmonization of Tariff Structure with the HS Convention

This CAP item is designed to facilitate the accurate, consistent and uniform application of the Harmonized Commodity Description and Coding System (HS) by all APEC Member Economies. All 21 APEC Economies have adopted the 2002 HS Convention at the six-digit level as a basis for the collection of customs duties and international trade statistics. Twenty Economies have adopted procedures and an organizational framework to ensure the consistent and uniform application of the HS Convention. Fifteen Economies introduced the laws and regulations to provide binding tariff classifications to importers. Eleven Economies are providing WCO HS explanatory notes in local languages to relevant parties including frontline officers.

The 2007 Version of the HS Convention (HS 2007) was adopted by the WCO in June 2004 and will come into effect from January 2007. The focus of this CAP item has now moved to implementation of HS 2007.

Japan is the coordinator of this CAP item and is providing technical assistance in collaboration with other Member Economies.

Public Availability of Information on Customs Laws, Regulations, Administrative Guidelines and Rulings

This program is to improve customs transparency and ensure that traders have all the pertinent information for business decisions through the provision of accurate, consistent and user-friendly customs information. Twenty Member Economies have completed this task, and constructed and maintained their customs websites. Nineteen Economies maintain contact points for clients to make inquiries about customs procedures and 15 Economies have introduced the process to obtain public comments on changes to customs laws and regulations. Eighteen Economies have published leaflets and materials to provide general and specific information.

Hong Kong, China and Singapore are the coordinators of this CAP item and will continue to update the “Best Practices” Handbook on public availability of information of the Economies on an ongoing basis.

Customs Integrity

This CAP item aims to raise levels of integrity among APEC customs administrations. As the basis for good governance, this item provides a sound platform for customs reform and modernization. This integrity program is a four-phase project based on the WCO’s Integrity Self-Assessment Guide.

Phase 1. Development of code of conduct has been completed by 18 Economies.

Phase 2. Integrity self-assessment process has been completed by 15 Economies.

Phase 3. Integrity action plans have been developed by 14 Economies.

Phase 4. Implementation and monitoring of action plans has been conducted by 13 Economies so far.

Australia and Hong Kong, China, the coordinators of the CAP item, have provided technical assistance to eight Member Economies, while four Economies requested it.

Customs-Business Partnership

This CAP item aims to enhance cooperation and communication between customs and the business sector. There were a total of 57 partnership programs implemented between 2001 and 2004. An updated and renamed compendium on Customs-Business Partnership Programs was also published in 2004. A survey was conducted in July 2006 to take stock of the new customs-business partnership programs of members. The survey revealed that ten members had implemented a total of 17 new partnership programs in addition to the 57 recorded in 2004, and three members had expanded the scope of their existing programs.

The updated compendium of Customs-Business Partnership Programs, which lists all types of cooperative engagements each APEC customs administration has established with respective business sectors, has been published and is available on the SCCP website.

This CAP item is coordinated by Hong Kong, China; Mexico and Chinese Taipei, which provided technical assistance in the form of information exchange via a voluntary “mentor system”.





Stage 3 CAP Items

Completed CAP items

Adoption and Support for the UN/EDIFACT/Paperless Trading

The objective of this program is to encourage the adoption of appropriate electronic technologies and procedures in order to reduce the requirement for paper documentation in customs administration. Nineteen Member Economies have completed self-examination to identify opportunities for increased automation and are in the process of adopting computerized customs clearance systems. Seventeen Economies have introduced laws and regulations to enable electronic submission and acceptance of customs documents. Seventeen Economies have maximized the use of UN/EDIFACT or other standard customs electronic formats.

Australia is the coordinator of this CAP item. Australia and two other Economies have provided technical assistance to seven Economies, and seven Economies have made requests for assistance.

Risk Management Techniques


This CAP item intends to support the implementation of sound risk management practices in order to facilitate legitimate trade and travel while maintaining effective customs control. Nineteen Member Economies have adopted a risk management methodology to identify high-risk shipments and facilitate the movement of low-risk shipments by applying this methodology to cargo examinations and document reviews. Eighteen Economies have built infrastructure to manage risk and 17 Economies have introduced a system to analyse risk. Fifteen Economies have set up a risk management training system.

Australia and the USA are the coordinators of this CAP item. The coordinators, in cooperation with two other Economies, have provided technical assistance to 14 Member Economies.

Adoption of the Principles of the WTO Valuation Agreement

This CAP item is intended to provide a single system that is fair, uniform and neutral for the valuation of imported goods for customs purposes, conforming to commercial realities and outlawing the use of arbitrary and fictitious customs values. The WTO Valuation Agreement, by its positive concept of value, recognizes that customs valuation should, as far as possible, be based on the actual price of the goods to be valued. Nineteen Member Economies adopted procedures and an organizational framework to secure consistent and uniform application of the agreement. Eighteen Economies have adopted laws and regulations to provide binding valuation decisions to importers. Nineteen Economies adopted post clearance audit schemes and 17 Economies adopted appeals provisions.

Canada and the USA are the coordinators of this CAP item and, along with six other Member Economies, have provided technical assistance to 13 Economies and three Economies requested it.



Adoption of the Principles of the WTO Intellectual Property Rights Agreement

This CAP item is to help Member Economies in the implementation of the WTO Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement and to tackle infringements on IPR.

Sixteen Member Economies have acceded to the TRIPS agreement. Nineteen Economies have implemented the procedures and an organizational framework to secure border enforcement to protect IPR. Eighteen Economies have introduced procedures dealing with applications for the suspension of release of counterfeit goods and 14 Economies have adopted a system to notify importers and right holders of suspended goods.

The USA is the coordinator of this CAP item. Canada, Japan, New Zealand and the USA provided technical assistance to 10 Member Economies and five additional Economies have made requests for it.

Introduction of Clear Appeals Provision

The key objective of this CAP is to provide customs administrations with open and transparent decision-making processes in the implementation of clear appeal provisions. Nineteen Member Economies have introduced laws and regulations to establish an appeals system. Twenty Economies have established a transparent review process to appeal customs decisions and actions. Seventeen Economies have set up a transparent judicial process to appeal customs decisions that could be adverse to business operations.

Canada and the Philippines are the coordinators of the CAP item. Canada has provided technical assistance to six Member Economies and two Economies have requested it.

Introduction of an Advance Classification Ruling System

The objective of this CAP is to establish simplified procedures for the classification of goods prior to importation, which enhances certainty and predictability for making sound business decisions based on legally-binding advice. Thirteen Member Economies have enacted laws and regulations to introduce an advance classification ruling system and 17 Economies adopted procedures and an organizational framework to accept and provide advance classification rulings.

New Zealand and Korea are the coordinators of this CAP. Should any further requirement for assistance be identified, this can be undertaken through the CAP related to the Revised Kyoto Convention.

Provisions for Temporary Importation

This initiative was designed to assist Member Economies in the implementation of the A.T.A Carnet Convention or the Istanbul Convention. Temporary importation helps businesses move goods such as commercial samples, professional equipment, tools of trade and exhibition materials across borders with a high degree of certainty about how these goods will be treated by customs.

Fourteen Economies have acceded to the A.T.A Carnet Convention or the Istanbul Convention and 18 Economies have adopted the standard document and procedures for handling goods under temporary importation. Thirteen Economies have windows that exclusively deal with the clearance of temporary importation goods and 16 Economies have introduced control procedures and an organizational framework on imported goods subject to temporary importation procedures.

The USA and Chinese Taipei are the coordinators of this CAP item and have provided technical assistance. Three Member Economies have provided technical assistance to six Economies and four Economies have requested it.

Express Consignment Clearance

The goal of this CAP is to implement the principles of the WCO Guidelines on Express Consignment and international standards for customs clearance of express goods. It actively facilitates time-sensitive importation and the use of customs procedures designed to permit rapid and reliable delivery service. Seventeen Member Economies enacted laws and regulations for express consignment based on the WCO Guidelines on Express Consignments and 15 Economies have established dedicated clearance windows to process express consignments. Seventeen Economies have adopted the system to provide 24-hour customs clearance along with simplified clearance procedures for express consignments.

The USA and China are the coordinators of this CAP item and, in cooperation with five other Member Economies, have provided technical assistance to five Economies and one Economy has made a request for it.

SCCP Collective Action Plan Objectives and Expected Outputs

OBJECTIVES

EXPECTED OUTPUTS

1. Harmonization of Tariff Structure with the HS Convention	- The accurate, consistent and uniform application of the HS Convention by all APEC Member Economies
2. Public Availability of Information on Customs Laws, Regulations, Administrative Guidelines and Rulings	- To improve transparency of APEC customs administrations - To enhance APEC customs administrations' competency in the dissemination of information on customs laws, regulations, procedures, rulings and guidelines provided to the business sector on an ongoing basis
3. Simplification and Harmonization on the basis of the Revised Kyoto Convention	- Simplified and standardized customs procedures implemented by all APEC Member Economies
4. Adoption and Support for the UN/EDIFACT/Paperless Trading	- The implementation by Member administrations of UN/EDIFACT international electronic messaging standards as the basis for their computerization programs
5. Adoption of the Principles of the WTO Valuation Agreement	- The implementation of the Agreement by Members, in a timely and orderly manner, to meet Members' international obligations under the Agreement
6. Adoption of the Principles of the WTO Intellectual Property Rights (TRIPS) Agreement	- A strategic program designed and developed to implement the Agreement by Members, in a timely and orderly manner and to meet international obligations under the Agreement
7. Introduction of Clear Appeals Provision	- Implementation of customs appeal mechanisms by all Members - The enhanced transparency and effectiveness of the appeals process and client service initiatives within APEC customs administrations
8. Introduction of an Advance Classification Ruling System	- The introduction of simplified procedures for an advance classification ruling system to the customs procedures of each APEC Member Economy
9. Provisions for Temporary Importation, e.g., acceding to the A.T.A. Carnet Convention or the Istanbul Convention	- The implementation of the terms of the A.T.A. Carnet and Istanbul Conventions - The provision of a common import/export documents for the temporary importation of goods - An internationally accepted security for goods entitled to temporary admission without payment of duties and taxes
10. Harmonized APEC Data Elements	- The development of a set of trade data elements required for ordinary goods for home consumption. - The development of a set of best practices guidelines for the processing and clearance associated with the movement of goods until the goods are no longer under any customs controls
11. Risk Management Techniques	- To focus customs enforcement efforts on high-risk goods and travelers and facilitate the movement of low-risk shipments, through a flexible approach tailored for each APEC Member Economy - The implementation of a systematic risk management approach will allow APEC customs administrations to facilitate legitimate trade and travel while maintaining control
12. Guidelines on Express Consignments Clearance	- The timely implementation of the international standard for customs clearance of express shipments - Trade facilitation while maintaining essential customs control responsibilities
13. Integrity	- More accountable, consistent, reliable and transparent customs administrations
14. Customs-Business Partnership	- The development of Customs-Business Partnership with the relevant players/parties in the business sector through the signing of MOUs or other instruments of cooperative arrangement - The establishment of permanent and regular liaison/consultation channels between customs and the relevant players/parties in the business sector
15. Time-Release Surveys (TRS)	- Contribution to further trade facilitation by reducing costs and time in the transaction of goods
16. Implementation of APEC Framework based on the WCO Framework of Standards to Secure and Facilitate Global Trade	- For APEC Member Economies to adopt and implement the provisions contained within the APEC Framework

SCCP CAP Implementation Status

	HS Convention	Public Availability of Information	Kyoto Convention	Paperless Trading	WTO Valuation Agreement	TRIPS	Clear Appeal Provisions	Advance Classification Ruling Systems	Temporary Importation	Common Data Element	Risk Management	Express Consignment Clearance	Customs Integrity	Customs Business Partnership	APEC Framework	Time release Surveys
Plan Coordinator	Japan	HK, China Singapore	New Zealand Japan	Australia	Canada USA	USA	Canada Philippines	New Zealand Korea	USA Chinese Taipei	Canada	Australia USA	USA China	Australia HK, China	HK, China Mexico Chinese Taipei	Japan Korea USA	Indonesia Japan Korea
Australia	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	
Brunei Darussalam	★	★	★	★	★	★	★	★		★	★		★			
Canada	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Chile	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	
China	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Hong Kong, China	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	
Indonesia	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Japan	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Republic of Korea	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Malaysia	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Mexico	★	★		★	★	★	★	★	★	★	★	★	★	★	★	★
New Zealand	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Papua New Guinea	★	★	★	★	★	★	★			★	★	★		★		
Peru	★	★	★	★	★	★	★		★		★	★	★			★
The Philippines	★	★		★	★	★	★		★	★	★	★	★	★	★	
Russia	★	★	★	★		★	★	★	★	★	★	★	★	★	★	★
Singapore	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	
Chinese Taipei	★	★	★	★	★	★	★	★		★	★	★	★	★	★	★
Thailand	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
USA	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	
Viet Nam	★	★	★		★	★	★		★	★	★	★	★	★		

- ★ Implemented
- ★ Partially
- ★ Accession to the Convention subject to internal approval process
- ★ On-going process
- ★ Not applicable

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Asia- Economic C





Pacific Cooperation



Acronyms :

APEC	<i>Asia-Pacific Economic Cooperation</i>	IPR	<i>Intellectual Property Rights</i>
ABAC	<i>APEC Business Advisory Council</i>	MOU	<i>Memorandum of Understanding</i>
ACBD	<i>APEC Custom-Business Dialogue</i>	OECD	<i>Organization for Economic Cooperation and Development</i>
ASEAN	<i>Association of South East Asian Nations</i>	ROO	<i>Rules of Origin</i>
A.T.A	<i>Carnet Admission Temporaire / Temporary Admission Carnet</i>	SCCP	<i>Sub-Committee on Customs Procedures</i>
CAP	<i>Collective Action Plan</i>	SOM	<i>Senior Officials or Senior Officials' Meeting</i>
CTI	<i>Committee on Trade and Investment</i>	TILF	<i>Trade and Investment Liberalization and Facilitation</i>
EDI	<i>Electronic Data Interchange</i>	TRIPS	<i>Trade Related Aspects of Intellectual Property Rights</i>
FACTS	<i>Facilitation, Accountability, Consistency, Transparency, and Simplification</i>	UN	<i>United Nations</i>
G7	<i>Canada, France, Germany, Italy, Japan, United Kingdom and United States</i>	UN/EDIFACT	<i>UN Electronic Data Interchange for Administration, Commerce and Transport</i>
HS	<i>Harmonized Commodity Description and Coding System</i>	WCO	<i>World Customs Organization</i>
IAP	<i>Individual Action Plan</i>	WTO	<i>World Trade Organization</i>
IATA	<i>International Air Transport Association</i>		
IBCC	<i>International Bureau of Chambers of Commerce</i>		

“Towards a Dynamic Community for Sustainable Development and Prosperity”



Asia-Pacific
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