



**Asia-Pacific
Economic Cooperation**

Advancing Free Trade
for Asia-Pacific **Prosperity**

Enhancing Stakeholder Engagement in the Implementation of the WTO Trade Facilitation Agreement

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Enhancement of Stakeholder Engagement in the implementation
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ABBREVIATIONS

1	WTO-TFA/ TFA	World Trade Organisation Trade Facilitation Agreement
2	TFAP	Trade Facilitation Action Plan
3	CAP	Collective Action Plan
4	CTI	Committee of Trade and Investment
5	MSMEs	Micro, Small and Medium sized Enterprises
6	NTFC	National Trade Facilitation Committee
7	TACB	Technical Assistance and Capacity Building
8	SMEs	Small and Medium-sized Enterprises
9	NACCS	Nippon Automated Cargo and Port Consolidated System
10	CBP	Customs and Border Protection
11	CIQ	China Inspection and Quarantine
12	FDI	Foreign Direct Investment
13	AEO	Authorized Economic Operator
14	OGAs	Other Government Agencies
15	FTA	Free Trade Agreement
16	WCO	World Customs Organisation
17	TFAF	Trade Facilitation Agreement Facility
18	CAREC	Central Asia Regional Economic Cooperation
19	TF	Trade Facilitation
20	WBG	World Bank Group
21	ICT	Information and Communication Technology
22	DIBP	Australia Department of Immigration and Border Protection
23	IT	Information and Technology
24	TRS	Time Release Survey
25	HS	Hamonisation System
26	IPR	Intellectual Property Rights
27	ADB	Asian Development Bank

1. SUMMARY

Trade facilitation—the simplification, modernization and harmonization of export and import processes—has therefore emerged as an important issue for the world trading system. There has been growing interest in trade facilitation since the beginning of the new millennium, as evidenced by the successful negotiation of the WTO-TFA as well as the rapid increase in trade facilitation commitments. Then, the WTO-TFA coming into force motivates and urges the WTO members including APEC members to head to its full implementation. Within the Asia Pacific region, APEC can open the way to discuss on strategies that help APEC members gain the WTO-TFA commitments through planning a workshop to share experiences on stakeholder engagement to comprehensively implement the WTO-TFA.

At the 2016 APEC Ministerial Meeting, APEC Ministers approved the commitments to "support the complete and effective implementation of the WTO-TFA as soon as possible". The APEC Trade Facilitation Action Plan (TFAP) which was presented in 2016 CTI, figured out the objectives of “working towards the full implementation of the TFA, and calling upon the remaining APEC economies to ratify the TFA by APEC Minister Responsible for Trade in 2016 and developing new capacity building projects relevant to the implementation of the TFA for funding under the SCCP sub-fund”.

In the framework of SCCP, trade facilitation objective are supported by several Collective Action Plan (CAP), among which is the CAP item on “Enhancement of cooperation with stakeholders”, approved in early 2017.

Most recently, 23rd Meeting of APEC Ministers Responsible for Trade once affirmed to encourage APEC economies to fully implement WTO-TFA and develop new capacity building projects relevant to TFA.

Thus, under the topic of “*Enhancement of Stakeholder Engagement in the Implementation of WTO-TFA*”, the Workshop is expected to build a link between a SCCP’s CAP item and high-level commitments of APEC Members on the implementation of WTO-TFA.

2. INTRODUCTION

This project will be a one-day workshop to provide participants with practical experiences on about the implementation of the WTO-TFA of the APEC economies, especially how APEC economies involve all relevant stakeholders in fully implementing the TFA after it comes into effect in order to facilitate trade transactions and strengthen trade exchange between the economies. Through the shared experiences and discussions, the workshop will help participants including public and private sectors thoroughly acknowledge importance of engaging all stakeholders in conducting the WTO-TFA comprehensively.

The workshop will include a panel discussion for attendees to suggest recommendations in order to contribute to supporting the economies in defining and narrowing down the chokepoints and proposing proper policies to encourage and include all relevant parties in the full implementation of the WTO-TFA in each economy. Stakeholders including government agencies and private sector will have a good opportunity to discuss and review their responsibilities and roles in implementing trade facilitation that benefits trade growth in each member and trade exchange amongst economies, thence upgrading their connectivity and cooperation by establishing a network to exchange and share further information about trade facilitation in the APEC region. The workshop might also pave the good way for stakeholders to seek technical assistance from the international developed partners.

The main objectives of the workshop are:

(i) To determine the challenges and share the factual lessons and best practices on the development of stakeholder engagement in trade facilitation to improve the weaknesses of this issue amongst APEC members. Improving stakeholder engagement in trade facilitation will help APEC members achieve targets of promoting trade growth, reducing cost and time for businesses. Through this workshop, it can open an opportunity for APEC members to share experiences for full implementation of the WTO-TFA and then contribute to promoting the connectivity and mutual support between APEC members in implementing TFA.

(ii) Develop the regulatory framework for better cooperation amongst stakeholders as well as the recommendations for upgrading infrastructure, human resources, and shortening technology gaps, and an inability to do “one stop” controls, especially for other agencies. To do this, seeking the technical assistance on the WTO-TFA implementation for APEC members is a necessity.

(iii) Provide the recommendations not only for Customs Administrations but also for the other border agencies, and guidelines for private sector in implementing the WTO-TFA. The involvement of all collaborators will pave a good way to reduce time and cost in trade transactions.

The full implementation of the WTO-TFA might help developing economies to increase the number of new products exported and promote trade transactions. This proposal is expected

to strengthen the coordination between stakeholders and also cooperation between public and private sectors in order to facilitate for trade activities in each APEC member in particular and in the APEC region in general. The workshop seeks to upgrade capacity building of APEC members by full implementation of the WTO-TFA that represents an important milestone by creating an international framework for reducing trade costs, helping solve coordination problems, changing border procedures, increasing customs revenues and reducing the occurrence of corruption especially in developing economies.

Through the workshop, a network amongst APEC members' customs is expected to be available in order to exchange information, experiences and measures applied for trade facilitation in the region. Implementation of trade facilitation is necessary to encourage the development and competition of MSMEs in APEC members especially in developing economies. In terms of simplification of customs procedures and relevant documents, trade facilitation has its importance in strengthening cooperation amongst government agencies and involving other stakeholders for the goals of cost and time savings for business community.

3. CONTENT OF THE WORKSHOP

3.1. Morning Session:

a. Towards the Implementation of the WTO-TFA - Where do we stand?

This part showed the whole picture of the implementation of the WTO-TFA in the WTO members including APEC members in which advantages and difficulties, opportunities and challenges on the road to effectively reaping the benefits for members are considerably defined. Through defining the reality of international, regional and domestic implementation of the WTO-TFA, members can delineate action plans for the next steps. This part of the workshop paved a good way for invited delegates to present, discuss and share updated information as well as their own experiences on studying the WTO-TFA and review its implementation in members.

(i) WTO Trade Facilitation Agreement - State of Play

Mr Xiaobing Tang, Senior Counsellor, Market Access Division, World Trade Organization.

The presentation indicated the important role of TFA and highlighted that the TFA is unique due to its influence, multi agency implementation and implementation flexibilities. It is informed that 119 members have already ratified, among them, there are 23 members in Asian region.

In addition, flexible implementation timelines were mentioned with category A (implemented by time Agreement enters into force), category B (entry into force + (X) time- indicative dates of implementation), and category C (need extra time and technical assistance and capacity building).

For the provisions in categories B and C, members must provide implementation dates and technical assistance and capacity building needs for category C. These dates and assistance needs must reflect the needs of all the border agencies affected by the provisions. In less developed economies around 30% of the WTO-TFA measures are in category A and 70% in category B and category C. In developing economies around 62% are in category A and 38% in category B and C.

Region	Notified A	Notified B	Notified C	Not yet notified
Africa	18.9	4.2	3.7	73.1
Asia & the Pacific	43.2	6.1	3.3	47.4
(CIS)	40.1	0.1	1.1	58.7
Europe	86.5	8.1	4.3	1.1
LA & Caribbean	2.7	0.4		46.9
Middle East	72.8		27.2	

For National Trade Facilitation Committee (NTFC), the WTO-TFA requires every WTO Member to establish a committee to oversee its implementation. NTFC is responsible for the series of notifications including the dates when each category B and C measure will be implemented. The committee will have to be aware if the notified deadlines will be met or if they need to request extensions. It will be very important for these committees to establish a monitoring and evaluation framework which would include data to establish a baseline and to measure the progress of reforms.

Technical assistance: during the negotiations there was big demand for data on how much it would cost to implement trade facilitation reforms. Early on the World Bank conducted studies in 6 economies but since it was as yet unknown what would be in the WTO-TFA, it was impossible to make accurate assessments. The presentation also informed that some members tried to estimate costs when they conducted their needs assessments but most did not even try. The developing economies wanted donor support quantified in the Agreement. But since it was impossible to know what the needs would be and how long the implementation time-frame would be this was also not possible. The WTO-TFA simply states that donor members agree to facilitate technical assistance and capacity building on mutually agreed terms either bilaterally or through appropriate international organizations. This issue caused a delay in the negotiations until members worked out the current implementation flexibilities. Although all members agreed to conclude the negotiations in Bali, many developing economies were still uncomfortable about signing on to an agreement that they will have to implement without some kind of guarantee from donors. In the end this led to the creation of the TFA Facility.

(ii) Progress of Asia and the Pacific in Trade Facilitation and Way Forward
Mr Sangwon Lim, Economic Affairs Officer in the Trade, Investment and Innovation Division, United Nations ESCAP.

The presentation showed the progress of trade facilitation implementation in Asia and its prospects. Specifically, it mentioned about the implementation of trade facilitation in terms of procedures and measures of transparency (independent appeal mechanism, advance rulings on tariff classification, advance publication/notification of new regulations before their implementation, stakeholder's consultation on new draft regulations, publication of existing import-export regulations on the internet), formalities (acceptance of paper or electronic copies of supporting documents, required for import, export and transit formalities, expedited shipments trade facilitation measure for authorised operators, establishment and publication of average release times, separation of release from final determination of customs duties, taxes, fees and charges, post clearance audit, pre-arrival processing and risk management), institutional arrangement and cooperation (government agencies delegating controls to customs authorities, domestic legislative framework and institutional arrangement are available to ensure border agencies to cooperate to each other, NTFC), paperless trade (electronic application for customs refunds, e-payment of customs duties and fees, electronic submission of air cargo manifests, electronic application and insurance of import and export, electronic single window system, internet connection available to customs and other trade controls, electronic/automated customs system), cross-border paperless trade (banks and insurers retrieving letters of credit electronically without lodging paper-based documents, electronic exchange of sanitary and phyto-sanitary certificate, electronic exchange of origin certificate, engagement in trade -related cross border electronic data exchange, recognize certification authority, laws and regulations for electronic transactions) and transit facilitation (cooperation between agencies of economies involved in transit, supporting pre-arrival processing for transit facilitation, customs authorities limit the physical inspections of transit goods and use risk assessment, transit facilitation agreement with neighbouring economies).

In addition, measures related to small and medium-sized enterprises (SMEs), agriculture trade and women in trade facilitation are mentioned in the presentation. For SMEs, measures include: government has taken actions to ensure that SMEs are well represented and made key members of NTFCs; government has taken actions to make single windows more easily accessible to SMEs, e.g. by providing technical consultation and training services to SMEs on registering and using the facility; government has developed specific measures that enable SMEs to more easily benefit from the AEO scheme; government has developed trade facilitation measures that ensure easy and affordable access for SMEs to trade related information. For agriculture trade, application, verification and insurance of electronic sanitary and phytosanitary (SPS) certificates is automated, standards and accreditation bodies are established for the purpose of compliance with SPS standards in your economy, testing and laboratory facilities are equipped for compliance with sanitary and phyto-sanitary standard in your economy. Regarding women in trade facilitation, government has introduced trade facilitation measures to benefit women involved in trade, the existing trade facilitation policy/strategy incorporates special consideration of women involved in trade.

The presentation also highlighted the importance of the WTO-TFA as an opportunity for making a progress and value-addition and the implementation of the WTO-TFA in proactive way, rather than just trying to meet requirements in the provisions and specifically enhancement of Stakeholder Engagement is necessary to promote effective performance.

(iii) Status Quo of Japan Customs - Trade Facilitation Agreement

Ms Naoki Ida, Director for Technical Cooperation, Customs and Tariff Bureau, Ministry of Finance of Japan.

The presentation showed the overview of Japan Customs with its negotiation history and some updated information about Japan Customs' single window, pre-entry declaration and advance rulings under the Agreement on trade facilitation. Japan Customs is one organization under Ministry of Finance of Japan. It has 9 regional customs, 179 customs branch/sub-branch offices, 10 customs guard posts and 9,178 customs officers (as of July 2017). It started with Doha Round of Negotiation in 2001 and approved the bill in Japan Diet and notification to the WTO in 2015.

Status of Single Window: Nippon Automated Cargo and Port Consolidated System (NACCS) started its first operation in 1978. It has been developed under public-private partnership and realized automation of import/export and other related procedures. It continued with Sea-NACCS in 1991 and then simple interfacing Single window in 2003 (first generation); common Portal Single window and Port authorities and Quarantine and immigration began in 2008 (second generation); integrated single window and trade control in 2010; and it included Veterinary, Plant Health and Food Sanitation in 2013 (third generation).

It stressed that application of pre-arrival declaration and advance rulings facilitated enterprises and helped reduce time and cost based on facilitating more proper declaration and faster clearance. In addition, Inquirers (Importers and related parties) are able to have more accurate cost accounting as well as easier planning for selling and marketing before importation.

(iv) Australia Department of Immigration and Border Protection,

Mr Benjamin COMBE, Australia Department of Immigration and Border Protection (DIBP)

Australia already complied with all the compulsory obligations of the WTO-TFA. Australia set up a National Committee on Trade Facilitation (NCTF) in May 2015 to comply with the obligations under Article 23 of the TFA. The NCTF is a strategic-level, whole-of-government forum overseeing Australia's performance against obligations under the WTO-TFA. The Committee's membership includes a variety of stakeholders involved in trade facilitation, including representatives from the customs broker, freight, import and export industries, and specific business councils. The NCTF provides the forum to facilitate both domestic coordination and implementation of the provisions of the WTO-TFA.

There are 6 governmental/border agencies involved in the implementation of WTO-TFA: Austrade, Department of Agriculture and Water Resources, Department of Foreign Affairs and Trade, Department of Immigration and Border Protection, Department of Industry, Innovation and Science, Department of Infrastructure and Regional Development.

DIBP, as Australia's Customs Administration, established the NCTF to oversee Australia's performance of the WTO-TFA. Australia was not required to introduce new legislation or

processes to implement the WTO-TFA. DIBP is Australia's border agency and customs authority and is responsible for the movement of goods across the border in compliance with the WTO-TFA. DIBP, through the NCTF, engages with industry and government stakeholders to discuss Australia's future trade landscape in concurrence with the objectives/articles of the WTO-TFA.

The private sector is engaged in the implementation of the WTO-TFA through Australia's NCTF. Through this forum, the private sector helps to explore opportunities to improve trade facilitation including the delivery of efficiencies and deregulation at the border and any associated recommendations for policy, regulation or legislative change. There are diversified industries involving in the WTO-TFA such as American Chamber of Commerce in Australia, Australian Chamber of Commerce and Industry, Australian Federation of International Forwarders Ltd, Australian Industry Group Board of Airline Representatives of Australia, Conference of Asia Pacific Express Carriers, Customs Brokers and Forwarders Council of Australia, Customs and Trade Advisory Group, Export Council of Australia, Food and Beverage Importer Association, Freight and Trade Alliance Pty Ltd, International Network of Customs Universities, Shipping Australia Limited.

Through the NCTF, and its working groups, private sector members provide strategic advice to Government on trade facilitation including in the following areas: examining emerging strategic issues in the international trade environment; leveraging the emerging digital economy to improve Australia's customs and trade environment; implementing established the WTO and WCO tools and guidelines and participating in international trade-related for a; coordinating support for developing trade partners; opportunities to modernise border controls through Free Trade Agreements and participation in international trade related for a, measures to improve efficiencies between government agencies operating at the border.

Australia's NCTF provides a forum for government and industry stakeholders to discuss strategic issues relating to trade facilitation affecting Australian industry stakeholders in the international trade environment. It discusses opportunities for reform of, and improvements to, Australia's domestic trade environment.

PANEL DISCUSSION: Engagement of Customs Administration and other Border Agencies in Trade Facilitation

Facilitator: Mrs Cynthia F. Whittenburg, Deputy Executive Assistant Commissioner, Office of Trade, US Customs and Border Protection The US Customs.

It is stressed that as governments continue their efforts to reduce trade costs by streamlining trade-related procedures and enhancing the quality of related infrastructure and services, engagement of Customs Administration and other Border Agencies in trade facilitation become important to improve their management and control in order to contribute to achieving objectives of trade facilitation. Therefore, it is encouraged to enhance this engagement between customs and other governmental agencies. Followings are sharing experiences from APEC members.

(i) Engagement of Customs Administration and other Border Agencies in Trade Facilitation

Mrs Cynthia F. Whittenburg, Deputy Executive Assistant Commissioner, Office of Trade, the United States (US) Customs and Border Protection.

CBP Mission: to safeguard America's borders thereby protecting the public from dangerous people and materials while enhancing the Economy's global economic competitiveness by enabling legitimate trade and travel.

CBP Trade Goals: Goal 1 - Counter Terrorism and Transnational Crime; Goal 2 - Advance Comprehensive Border Security and Management; Goal 3 - Enhance US Economic Competitiveness by enabling Lawful Trade and Travel; Goal 4 - Promote Organizational Integration, Innovation, and Agility.

CBP's role in Trade: Enhance US economic competitiveness and security. By reducing costs for industry and enforcing trade laws, CBP enables legitimate trade, contributes to US economic prosperity, and protect against risks to public health and safety. CBP is the lead representative of the Executive Branch at the border to facilitate trade and enforce over 500 US trade laws and regulations.

The WTO-TFA and Border Agency Cooperation: CBP is charged with the challenging task of enforcing over 500 regulatory requirements for 47 government agencies; the Border Interagency Executive Council (BIEC) facilitates the coordination and prioritization of projects related to this large-scale development effort; charged with improving border management and coordination, the BIEC facilitates public-private dialogues to address US government trade initiatives and challenges.

The presentation also affirmed the role of Single Window in implementing the WTO-TFA.

Commercial targeting and Analysis center is located in Washington, DC and facilitates a one US-government approach for information sharing and leveraging the collective resources of participating government agencies to prevent, deter, interdict and investigate violations of US import and export laws. It launched in 2010, this single-issue fusion center has grown to now encompass 11 US government agencies, with CBP serving as the host agency.

(ii) Cooperation between China Customs and other Border Agencies on Trade Facilitation

Mr Ji Yong, Office of WTO Affairs, Department of International Cooperation, General Administration of China Customs

China's policy background of Border Agency Cooperation: 3M Integration: Mutual exchange of information; Mutual recognition of control; Mutual enforcement assistance among border agencies.

China's the WTO-TFA Implementation: In December 2013, WTO member concluded negotiations on a TFA at the Bali Ministerial Conference; on June 2014, China notified WTO

of its category A measures; on 27 November 2014, WTO member adopted a Protocol of Amendment to insert the new Agreement into Annex 1A of WTO Agreement; China became the 16th WTO member to ratify WTO's TFA on 4 September 2015.

NTFC China: the Chair is Vice Premier of the State Council; Vice Chair are heads of Ministry of Commerce, General Administration of China Customs (GACC) and General Administration of Quality Supervision, Inspection and Quarantine and Deputy Secretary-General of the State Council; 16 members: Ministry of Commerce, Development and Reform Commission, Ministry of finance, Ministry of Communications, GACC, AQSIQ.

Main Responsibilities of China's NTFC: Strengthening general guidance on trade facilitation, exploring policy and measures to improve trade facilitation; coordinating trade facilitation policy among different ministries; providing guidance on the implementation of the agreement, coordinating and solving major problems in the implementation of the agreement; summarizing and promoting trade facilitation experience, making overall planning of international; cooperation and exchange in trade facilitation.

China conducted 3 singles: Single declaration (one entry for different declarations" to Customs and China Inspection and Quarantine (CIQ) by inputting once the data for customs and CIQ), Single Inspection (one opening for different inspections). If both customs and CIQ need to inspect the same shipment, they should conduct joint inspection according to their own duties in the principle of "one opening", to avoid repetitive offloading and movement) and Single Release (networked release by customs and CIQ). Customs and CIQ send the release instruction through the e-port to the port authority, against which the traders go to the port authority to deliver the goods.

Implemented Coordinated Customs Border Control within Central Asia Regional Economic Cooperation (CAREC) members through 3 phases: Unified Manifest (Single Manifest); Mutual Recognition of Customs Inspection Result and Joint Customs Border Operation and brought benefits of lower cost, shorter clearance time

Single Window: the State Council Port Interministerial Conference makes an overall plan, promotes the building of the single window, standardizes operations, unifies technical standards, specifies the basic functions of the single window and strengthens technical support and guidance to the building of the single window. A single window construction coordination mechanism should be formed by the people's governments in the provincial (autonomous regions and municipalities) level, which needs to be responsible for promoting the specific implementation of the relevant work, and expanding the functions of single windows in logistics, information searching and notifying, etc. so as to suit the requirements of the local characteristics. China defined some expected benefits of single window: reducing complexity of declaration, abandoning cumbersome procedure with too many people, terminals and documents, dispensing repetitive formalities, separate document submission, waiting for approval and other steps; saving manpower and time; reducing intermediate procedures and lowering the error rate; and Once entry for the same or similar data item, reducing the repetitive entry of the same kind of data.

Further Measures to Implement the WTO-TFA: Compliance, Cooperation (Customs and Customs; Customs and private sector; Customs and other agencies) and Coordination.

**(iii) Korea's best practice on Coordinated Border Management- Joint inspection system
Mr Seoung Hoon Eom, Assistant Director of Multilateral Cooperation Division, Korea
Customs Service.**

Korea mentioned about regulations of the WTO-TFA on border agency cooperation, accordingly, "each Member shall ensure that its authorities and agencies responsible for border controls and procedures dealing with the importation, exportation, and transit of goods cooperate with one another and coordinate their activities in order to facilitate trade" and "each Member shall, to the extent possible and practicable, cooperate on mutually agreed terms with other Members with whom it shares a common border with a view to coordinating procedures at border crossing to facilitate cross-border trade". It is important for coordinated approach by border control agencies, both domestic and international, in the context of seeking greater efficiencies over managing trade and travel flows, while maintaining a balance with compliance requirements.

Korea underlined some challenges including a growing numbers of imported goods affecting Public safety; customs do not have specialties in other government agencies work; customs has no relevant information on specific items and customs has no enough human resource. It requires previous safety management system including customs at pre-clearance stage and other government agencies at after-clearance stage. The joint inspection system was operated by information sharing and joint inspection. Currently, Korea designated 4 main joint inspection centers including Incheon Main Customs (Airport and Port), Busan Main Customs, Pyetaek Customs. Customs cooperated with 7 government agencies including Korean Agency for Technology and Standards, Ministry of Environment, Ministry of Food and Drug Safety, Ministry of Employment and Labour, Korea Forest Service, Radio Research Agency, Ministry of Trade, Industry and Energy.

**(iv) Viet Nam Single Window - Food importation inspection
Ms Tran Trang, Officer of Department of Legislation and International Cooperation,
Viet Nam Food Administration, Ministry of Health of Viet Nam.**

Inspection procedures includes shipment arrival, application for inspection, inspection conducted by 14 inspecting authorities, inspection results submitted to customs and customs clearance. Accordingly, Customs clearance may take around 12 days. Single Window, with the purposes of transforming Viet Nam's customs practice by building a modern, efficient and transparent interconnected network among state agencies, and can connect and integrate Viet Nam economy to the region/international economic blocs, namely ASEAN Single Window Portal, is vital and important supporting and facilitating trade. Its trial time is from 2011 to 2015. Ministry of Health is responsible for developing single window for food importation inspection during this period including development of technical infrastructure, providing technical training to all concerned parties, completion of administrative procedures and development of plan for the next period.

According to statistics, up to 30 August 2016, 2989 applications have been submitted through single window and 75% have been processed, of which 176 applications were approved for reduced inspection; time and effort for inspection have been reduced significantly (reduced inspection: average time - *3 days to 1.5 days* standard inspection: average time - *9.3 to 5.5 days*; strict inspection: average time - *11.9 to 6.5 days*). Based on the successful results, the Viet Nam single window was officially activated and connected to the ASEAN Single Window.

Some main challenges were defined: the majority of the system users, including both regulators and food importers do not have technically advanced computer skills; as for now, national single window is in the trial period so a large number of importers still using the old system as it is more familiar; the government needs to give initiatives to encourage the private sectors to switch to single window; security is also a crucial issue; limited resources – human resources, finance ; and as ASEAN single window was signed, Ministry of Health and other ministries responsible for food safety need to continue discussion with ASEAN member states to complete Mutual Recognition Agreements for prepared food. Once MRA is signed, imported prepared food will get reduced inspection.

In the second period 2016-2020, online administrative procedures level 4 will be linked to single window. Development of strategic plan for the 2nd Period 2016-2020 includes coordinating with Ministry of Agriculture and Rural Development, Ministry of Industry and Trade and 14 inspection agencies to collect feedbacks and suggestions from concerned parties and based on collective results, develop report and make strategic plan for the next period 2016-2020.

3.2. Afternoon Session

PANEL DISCUSSION: Strategies for fostering private sector participation in the TFA implementation process; expectations and experiences of collaboration in the NTFCs
Facilitator: Dr Peter Faust, Advisor of Transportation and Trade Facilitation

Expectations for the agreement are very high. It is noted that the implementation of the WTO-TFA can contribute to improving the ways in which government revenue are collected, and promoting conditions for foreign investors, thereby contributing to improving competitiveness. It is also a well-known fact that businesses play an important role in the TFA implementation process. Thus, participation of private sector should be highlighted.

Many members have already established, or are about to establish, the NTFC as required under the WTO-TFA. Other members, however, have faced a number of challenges on trying to determine how best to do so in light of their specific demands and difficulties. However, one positive message from the workshop has been stressed that there is a great deal of support available for the establishment of the NTFCs in which public and private sectors should be effectively engaged.

(i) Private sector participation in the TFA implementation process
Dr Peter Faust, Advisor of Transportation and Trade Facilitation

Trade facilitation is transparency and efficiency in international trade supply chain through simplification, standardisation, harmonisation and modernisation, especially its is better achieved through collaboration between public and private sector. Trade facilitation and competitiveness are a motivation for promoting global value chains. Thus, it is pointed out that import/export clearance times are key determinants of foreign investment, export status and productivity; for integration into global value chains efficient importation is as important as exportation; inefficient border practices and complex procedures significantly reduce the ability to successfully integrate to global value chains; and trade costs are a crucial ingredient for competitiveness and FDI.

In trade facilitation reform, public and private dialogue must be leveraged at all steps of the reform process including solution design, implementation and monitoring and evaluation. From business perspective, the private sector plays important role in NTFCs as supporting trade facilitation reforms in terms of scheduling commitments under the WTO-TFA, improving inter-agency coordination and SMEs improvement, enhancing transparency and access to information, improving efficiency of cross-border procedures and strengthening SMEs ability to cross border. Private sector can contribute in NTFCs through having a seat at the table, representing in the governance structure, participating in activities and contributing to financing.

The presentation singled out the importance of NTFCs in discussing particular bottleneck and problems, discussing formulation and implementation of revised regulations and formalities, and giving feedback on revised provisions.

(ii) Trade facilitation: Reform of customs administration and specialized inspections in Viet Nam

Mrs Nguyen Minh Thao, Director of Department of Business environment and Competitiveness, Central Institute for Economic Management, Ministry of Planning and Investment of Viet Nam

According to the International Indexes, Viet Nam is belonging to the middle group of trade facilitation performance. Improvement of Enabling Trade performances of Viet Nam are not stable. Trading across border of Viet Nam is ranked at the 4th in ASEAN, but still lower than the average of ASEAN 4. According to a research (by Olin McGill), if saving 1 day for trading across border, the economy can save 1.6 billion USD. Under Government Resolutions (Resolution 19), objectives of Trade Facilitation are defined as: reduce time for Trading

Across Borders to the average time of ASEAN-4 (70 hours for export and 90 hours for import by the end of 2017), reduce the imports and exports ratios that are subjected to specialized inspection at customs clearance to 15% (currently at 30-35%) and reform customs procedures and specialized inspection. To end this goals, the Resolution also regulated tasks and role of related agencies to trade facilitation including customs agency and 12 ministries of specialized inspection of export-import goods.

Reform of customs procedures: standardization of customs management in compliance with the provisions under the Revised Kyoto Convention; e-customs procedures are established in

100% of Customs Departments and Sub-departments; nearly 100% of the total enterprises are using e-customs procedures; apply the Authorized Economic Operator following WCO standards; administrative procedures are processed through online public service; deploy and develop Viet Nam Customs Portal; implement Single Window and ASEAN Single Window; act as the standing body for the National Committee on Trade Facilitation.

Improvement of specialized management: ensure transparency in specialized inspection and management, especially transparency on List of imports and exports subjected to specialized inspection and management: simplification of the List of imports/exports subjected to inspection at customs clearance time and good description must have HS code in highest detail; modernize procedures in specialized inspection and management; apply international practices. Those improvements have led to some achieved results such as: reform of plant quarantine (dossiers are simplified (reduce 2/3), processing time is shorten dramatically; combination of two procedures, quarantine and food safety inspection, cut down from 2 inspecting agencies to 1, that is Quarantine Agency; combination of two procedures into one, type approval and imported organic fertilizer's quality inspection); reform of registry procedures (connecting efficiently into the single window; applying testing method to examine new model of transportation means, qualified results that meet technical requirements are updated on the single window, applicable to all imported means later on); eliminate the inspection of formaldehyde in textile and garment products.

However, many difficulties and shortcomings in specialized inspection and management were specified. In general, there are some obtained results relating to specialized inspection, still too modest compared to the Government Resolutions' requirement as well as to the request of the real practice. The legal documentation system regulating Specialized Inspection and Management is quite large (414 legal documents), but a lot of regulations are not specific and unclear which result in different understanding and application; regulations do not conform with practical situation and international practice. Enormous list of goods subjected to Specialized Inspection and Management: about 100,000 items. High rate of shipments is subjected to specialized inspection: average rate is 30% of total shipments. Basically, time for specialized inspection has no improvement. For example: inspection in Can Tho takes 13.6 days, Da Nang with 19 days; Binh Dinh with 18 days. Goods and products are subjected to quality control experienced longer inspecting time, for example, medical equipment with 40 days; energy efficiency testing with 43 days. Moreover, cost for specialized inspection and management has not been reduced compared to previous years. Overlapping in specialized inspection and management: one good is managed by several agencies (58% goods having more than 2 procedures of specialized inspection). Specialized inspection and management is mainly pre-check before customs clearance; over-inspection, shipment-based inspection are common. The application of information communication and technology for on-line functions is limited with most of ministries doing manually paperworks in receiving dossiers and return inspection results.

The presentation ended with some recommendations: reform of specialized inspection upon 4 principles: (i) fundamental change the method of specialized inspection; (ii) transparency; (iii) online public services; (iv) application of international practices; customs authorities need to strengthen IT system, enabling quick e-customs procedures; upgrade and complete

the single window portal to ensure strong connection and information security with authorized specialized inspecting agencies; improve business ethics; and enhance the participation and sharing of information by stakeholders in the reform program of customs clearance and specialized inspection in order to reach a common consensus, facilitating trade.

(iii) Viet Nam biz and the TFA

Mrs Nguyen Thi Thu Trang, Director of WTO Center, Director of Legal Department, Viet Nam Chamber of Commercial and Industry.

The presentation discussed on the reasons for Vietnamese businesses to involve in the WTO-TFA implementation and showed some solutions for its reality. Likely businesses in the world, they are beneficiary of every single commitments in the WTO-TFA and they clear about how such commitments are implemented in the reality. Additionally, they could urge and suggest the competent authorities in implementing the commitments. However, unlike businesses in the developed world, Vietnamese enterprises have very little information about their rights, either based on domestic or international rules. They have got more problems in the daily transactions than in legally stipulated mechanisms, and hardly make comments or complaints on policy or rules. In terms of publications, Vietnamese legal frameworks almost satisfy all TFA publication requirements. However, according to Viet Nam Chamber of Commercial and Industry's survey , questioning randomly 1,030 importers and exporters, there were 54% (2015) and 47% (2016) of them got problems when searching legal information. In terms of specialized inspections, almost complaints reflected a reality of being too many specialized inspection and the rules are not feasible enough, cooperation among competent authorities are not effective and in some kinds of goods, it takes too long time.

Based on the benefits brought by the WTO-TFA and the situation in Viet Nam, it is awared that Vietnamese businesses should be involved in the WTO-TFA commitments. Some solutions are defined: raising awareness activities should be taken by business experts and through friendly format and channels, TFA implementation work should be open and shared to all related business associations and chances to participate should be given so that they can be partners in TFA-related activities such as implementing initiatives, policy making, legal drafts and pragmatic reform. Moreover, customs agency and relevant ministry/agencies should support because large parts of current shortcomings and TFA-incompliances are in customs procedures and specialized inspections. They may help associations in suggesting the solutions to shortcomings in specialized procedures and accepting to take charge of all specialized procedures.

(iv) Stakeholder engagement in the WTO-TFA

Mr Marcus Bartley Johns, Senior Trade Specialist, Trade and Competiveness Global Practice, World Bank.

The TFA gives new momentum for engaging fully with stakeholders in the development, prioritization, and implementation of trade facilitation reforms, strong mandate to bring in other government agencies that think trade facilitation is “just a Customs agenda” while WTO obligations are binding at the higher level, not just on Customs WTO reporting processes provide for monitoring, sharing of experiences, and identification of problems at the

multilateral level. Hence, stakeholders in implementing WTO-TFA should be wider society, public sector (Customs, Ministry of Health, Quarantine, Standards, Security/Police, Transport, Central Bank, Finance) and private sector (Traders, Transport/related services, Facilities and infrastructure Import-sensitive industries).

Stakeholder engagement becomes critical and important so improving private sector dialogue and inter-agency stakeholder engagement should be a priority. World Bank stressed private sector engagement is essential in identifying and validating gaps and setting a vision involves sustained advocacy by the government, supported by NTFC bringing private and public sectors together. The WTO-TFA requires a NTFC which is also essential for trade facilitation reform. It is informed that more than twenty current WBG projects include NTFC's support. In addition, trade information portals help ensure transparency and single window implementation and development is a tool for stakeholder engagement.

PRESENTATIONS: Technical Assistance and Capacity Building

(i) WTO Trade Facilitation Agreement and the WCO Mercator Programme

Ms Vyara Filipova, Technical Attaché, Compliance and Facilitation Directorate, World Customs Organization

The WCO Strategic Plan defined 7 strategic goals including promoting the security and facilitation of international trade, including simplification and harmonization of Customs procedures; enhancing fair, efficient and effective Revenue collection; protecting society, public health and safety, and contribute to combating crime and terrorism; strengthening Capacity Building; promoting Digital Customs to support, in particular, cross-border management and information exchange between all stakeholders; raising the performance and profile of Customs; and conducting Research and Analysis. It is affirmed that the WCO provides leadership, guidance and support to Customs administrations to secure and facilitate legitimate trade, realize revenues, protect society and build capacity. Alternatively, the WCO expressed its important role in trade facilitation in terms of standards setting, cooperation and capacity building. Accordingly, the WCO has capability and responsibility for global standard setting for Customs, does cooperation with other international organizations and other agencies, and providing capacity building/technical assistance delivery and be network of accredited experts from Customs Administrations.

Key developments of the WTO-TFA and the WCO were specified as: the WTO concluded the Trade Facilitation Agreement at the Ministerial Conference (12/2013), the WCO adopted the Dublin Resolution to emphasize the WCO's commitment to the efficient implementation of TFA at the Policy Commission (12/2013), 1st Meeting of the TFA Working Group (3/2014), the WCO adopted the Mercator Programme to ensure its strategic initiative to support Trade Facilitation (6/2014), the WTO adopted a Protocol of Amendment to insert the new Agreement into the WTO Agreement (11/2014), the TFA entered into force (22 February 2017), Joint Meeting of the TFA Working Group and the Capacity Building Committee (3/2017), a Communique was issued highlighting the support of the Customs Community to the entry into force of the TFA (7/2017).

The WCO has developed a number of instruments and tools, which respond to Members' needs as regards TFA implementation. Those examples are Revised Kyoto Convention, SAFE framework of Standards, Time Release Study Guide, Single Window Compendium, Data Model, Globally Network Customs, Risk Management Compendium, Post Clearance Audit Guidelines, Customs-Business Partnership Guidance, Committee of Trade Facilitation Guidelines, Technical Guidance on Advance Rulings, Transparency and Predictability Guidelines, Study Report on Customs brokers and Transit Guidelines. The Implementation Guidance is available on the public WCO website. The WCO is continuing to develop and fine-tune an interactive guidance tool designed to help Customs implement the WTO-TFA.

The WCO conducted Mercator Programme with objectives of tailor-made technical assistance and capacity building, harmonized implementation based on WCO's global standards, effective coordination among all stakeholders, and beneficial for developing and least developed economies, all government agencies, donor institutions and private sector. Pre-conditions for effective implementation defined in the Mercator Programme are Strategic framework to define TFA implementation priorities (Strategic Plan), established focal point/project manager to coordinate inputs (Project Management), established relationships with other cross-border regulatory agencies and private sector stakeholders (Stakeholder Engagement), understanding of other relevant development partner inputs and identification of opportunities for collaboration (Donor Coordination).

(ii) Implementation of the WTO Trade Facilitation Agreement- World Bank Group Activities

Mr Marcus Bartley Johns, Senior Trade Specialist, Trade and Competiveness Global Practice, World Bank

The WTO-TFA certainly brings benefits. Many of the TFA measures are significant for traders and estimates suggest the TFA could reduce costs and red tape by up to 14 % for low – lower middle income economies . Research suggests even modest reductions in trade transaction costs lead to increased export competitiveness. Strong evidence that trade transaction costs play an important role in investment and product sourcing decisions – critical for global value chain participation. Obviously, all economies benefit but impact most pronounced in developing members. WTO agreements are enforceable and get the attention of policy makers – can mobilize and sustain political will for reform. Estimated global gains from the TFA range from \$40 billion - \$1 trillion.

World Bank supported major partners on trade facilitation-related reform from \$322 million in 2004 to \$7 billion in 2017 in terms of software and hardware . There have been over 120 customs and border management projects over past 20 years. Program includes knowledge and analytical products, diagnostics and implementation support tools, technical assistance and advisory services , major institutional reform projects, research and data products , global advocacy and partnerships. Trade programs of World Bank focus on areas for policy makers such as: before the border, it includes market access, FTAs, trade policy reform and tariff liberalization; behind the border concentrating on business and investment climate, improving trade and transport infrastructure and dealing with supply side constraints; at the border, it

targets on regulatory and procedural harmonization and simplification, automation and institutional reform of customs and other border management agencies.

From the TFA implementation support experience, it showed some realities. No economy is starting from scratch and all have modernization programs in place and most have made real progress. Customs far ahead of other border management agencies on many TFA fronts including understanding of the need to balance control with facilitation, use of risk management, ICT support private/public consultation, performance metrics, agreed WCO standards & reform guidance. Coordination between agencies - and between government agencies and the and private sector – is often poor. NTFCs involving both the private and public sectors are easy to establish but difficult to sustain. Other Government Agencies (OGAs) often not fully committed to the TFA agenda – “It’s just a Customs issue”. Inadequate advocacy work done to ensure buy-in from all relevant public and private sector stakeholders. Manual processes co-exist with automated ones – sometimes linked to outdated legislation – sometimes linked to a desire to maintain face to face contact. TFA Implementation Action Plans often poorly developed with limited consensus around reform priorities and activity sequencing because budget issues rarely addressed. Lack of an integrated approach to risk management and compliance management across agencies, high level of support for TFA measures by private sector stakeholders - but their potential contribution to mobilizing political support for reform is rarely fully exploited. Single Window systems seen as a key solution but rarely deliver on their full potential to simplify and streamline. After all, Customs reform alone will never address all trade facilitation challenges.

World Bank published practical knowledge products such as Customs Modernisation Handbook, Border management Modernisation, Duty and Tax Relief and Suspension Scheme, Post Clearance Audit- Reference and Implementation, Streamlining Non-tariff-Measures.

(iii) Japan Customs’ Technical Assistance/Capacity Building

Ms Naoki Ida, Director for Technical Cooperation, Customs and Tariff Bureau, Ministry of Finance of Japan

Japan highlighted the importance of technical assistance and capacity building because it enhances efficiency and effectiveness of recipient economies and also efficient and effective Customs administration is critical to accomplish policy goals of governments on revenue collection, trade facilitation, secure trade and economic growth. Each technical assistance and capacity building goes through four steps including delivering needs survey and review of plan (ACTION), building policy for assistance or plan making (PLAN), then conducting evaluation of program/assistance plan (CHECK) and finally accepting trainees or dispatching experts (DO).

Japan spent \$5.7 million USD in the focal year of 2017 with 116 training courses in 32 economies and areas to promote assistance for realizing a safe and secure society, promotion of trade facilitation, ratification and Implementation of TFA by recipient economies. Assistance could be diversified on Customs Modernization Rules of Origin, Post Clearance

Audit, Enforcement, IPR, Valuation, HS , AEO, Risk Management , TRS, TFA, Customs Laboratory.

(iv) Korea Customs Service Capacity Building Program for TFA Implementation
Mr Seoung Hoon Eom, Assistant Director of Multilateral Cooperation Division, Korea Customs Service.

The WTO-TFA entering into force leveraged members for the implementation stage. It requires members to ensure their capabilities to implement the WTO-TFA as facing change in demand of capacity building and technical assistance. Korea Customs Service is one of the frequent donors for capacity building and technical assistance in the region. According to statistics for the last 6 years from 2011 to 2016, there have been about 140 opening seminars and workshops held with more than 2,000 attendees.

Capacity building and technical assistance typically focused on seminars on trade facilitation, AEO, high-level Customs official and workshops for experts in Customs Administration or capacity building programs held in recipient economies. Topics mainly concentrates on customs modernisation such as single window, risk management, time release study, post audit, IPR, AEO, HS, customs valuation, investigation methods, cargo management, drug detection methods.

Capacity building program for TFA implementation reflects developing economies' key demands among the 12 TFA measures, among them including publication and availability of information, advance ruling and appeal or review procedures. There were some long-term programs based on assessing demands and needs of each economy so that tailor-made capacity building programs can be properly and effectively developed through 6 steps (diagnosing the TFA gaps, drafting action pan, developing action plan, implementing action plan, monitoring and evaluating). For example, a joint initiatives has been conducted with ADB to Cooperation for TFA implementation in the CAREC region. Accordingly, the ADB is the project coordinator & the Korea Customs Service manages technical support.

Some challenges and difficulties were defined: carrying out workshops/programs requires nurturing the pool of TFA experts; more advanced diagnostic methods are necessary to better identify beneficiary members' TFA implementation status, the lack of infrastructure poses a challenge in TFA implementation for beneficiary members, monitoring and evaluation can be tricky.

(v) WTO-TFA implementation - Technical assistance and capacity building
Ms Nguyen Pham Nhu Ha, Deputy Head of Division, Customs Supervision and Control Department, General Department of Viet Nam Customs

Viet Nam presented the information about capacity building and technical assistance programs Viet Nam provided by different donors including multilateral partners and bilateral partners. Over the past years, Viet Nam received funded programs from the international organisations such as WTO, WCO, Organization for Economic Co-operation and Development, United Nations Conference on Trade and Development, World Bank,

International Chamber of Commerce. Many seminars and workshops were held in Viet Nam focusing on self – assessment need for trade facilitation; commitments of category A, B and C, experiences on NTFC, awareness on TFA commitments, best practices sharing, and critical issues in TFA implementation.

Some typical programs: World Bank assisted in establishing Viet Nam Trade Information Portal (officially operated since 12 July, 2017); diagnosing trade facilitation gaps among government agencies; enhancing Steering Committee on Single Window, Single Window and Trade Facilitation on further expansion of logistics role. The WCO through Mercator Program assisted Viet Nam to conduct diagnostics on some priorities; building trade facilitation in Strategic Plan for customs reform and modernization 2016-2020 and organising Trade Facilitation Working Group meetings.

Not less importantly, technical assistance was provided from bilateral partners such as the United States (Viet Nam Governance for Inclusive Growth), the United Kingdom, Japan, Korea, Australia, China, etc.

Some further priorities were defined such as NTFC needs operating effectively and efficiently though the Action plans on trade facilitation, looking for more technical assistance and capacity building for C commitments; enhancement of the cooperation with other Customs administrations to implement the TFA; providing training and capacity building for staff to meet the requirements of commitments in TFA and FTAs especially the experts on each specialized technique.

4. CONCLUSION: WRAP UP AND THE WAY FORWARD

Mr Nguyen Toan

Director
International Cooperation Department
General Department of Viet Nam Customs
Project Overseer

(i) Challenges and recommendations

Key challenges	Recommendations
Engagement of Customs Administration and other Border Agencies	
<ul style="list-style-type: none"> - Security issue related to the exchange of information/ single window system/application of ICTs - Limited resources in terms of human sources and finance supports - Poor coordination between agencies and between government agencies and the and private sector 	<ul style="list-style-type: none"> - Application of information and communication technologies (ICTs) - “A one-government approach” intensive cooperation mechanism of the U.S can served as a good practice for reference. - Joint inspection system - Harmonize different functions of customs between facilitation and security, whether

<ul style="list-style-type: none"> - Other Government Agencies (OGAs) often not fully committed to the TFA agenda – “It’s just a Customs issue” - Lack of an integrated approach to risk management and compliance management across agencies 	<ul style="list-style-type: none"> being gate keeper or trade enabler and deploy customs coordination at/beyond/behind the border - The importance of information exchange - Single Window needs to be implemented to full potential, Mutual Recognition Agreements
<p>Private sector participation</p>	
<p>Poor coordination between government agencies and the and private sector;</p> <ul style="list-style-type: none"> - Inadequate advocacy work done to ensure buy-in from all relevant public and private sector stakeholders - High level of support for TFA measures by private sector stakeholders - but their potential contribution to mobilizing political support for reform is rarely fully exploited 	<ul style="list-style-type: none"> - Success factors of trade facilitation bodies: Encourage involvement of the private sector Developing intrinsic coordination Having strong commitment from policy-makers Contributing qualitative participation Reinforcing knowledge and awareness of key stakeholders Investing resources for training and capacity building to participants Building appropriate work plan Optimizing accessible financial resources - Business-tailored awareness activities - Create chances for private sectors to join in TFA implementation works - Roles of private sector as input providers (information and complaints from their members), solution makers, implementors and supervisors - Role of customs as the lead agency - Develop Trade Portal
<p>Collaboration in the National Trade Facilitation Committees</p>	
<ul style="list-style-type: none"> - National Trade Facilitation Committees involving both the private and public sectors are easy to establish but difficult to sustain 	<ul style="list-style-type: none"> - Strong political will
<p>Technical Assistance and Capacity Building</p>	
<ul style="list-style-type: none"> - Possible obstacles: ✓ Carrying out workshops / programs requires nurturing the pool of TFA experts ✓ More advanced diagnostic methods are necessary to better identify beneficiary members’ TFA implementation status ✓ The lack of infrastructure poses a challenge in TFA implementation for beneficiary members ✓ Monitoring and evaluation can be tricky 	<ul style="list-style-type: none"> - Create a list of contact points for capacity building and technical assistance (including developed member economies and international organizations) - Resources of information: www.TFAFacility.org www.ftadatabase.org www.unnext.unescap.org WTO TF Committee www.wcoomd.org http://www.wcoomd.org/en/topics/wco-implementing-the-wto-atf/atf.aspx - Suggested success factors by donors: ✓ Unambiguous reform mandate from the highest levels of Government backed by

	<p>strong inter-agency and private sector coordination mechanisms (NTFC)</p> <ul style="list-style-type: none"> ✓ Clear understanding and agreement on the problems and solutions (+ a realistic assessment of challenges) ✓ Clear implementation plan including roles, responsibilities, obligations and accountabilities identified for all key stakeholders ✓ Progress metrics that are monitored and reported regularly ✓ Ambitious but realistic and easy to explain vision shared by all key public and private sector stakeholders <p>Implement TFA proactive way rather than just trying to meet requirements in the provisions</p>
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(ii) Further Work after the workshop

- Finalising the summary report.
- Circulating the Evaluation Questionnaire
- Gathering the feedback and inputs for the Evaluation Questionnaire.
- Reporting Evaluation Questionnaire outcomes at SCCP 1 2019 in Papua new Guinea.
- Completing final report of the Workshop and circulating to SCCP members.
- Proposing further activities (if any).

ANNEX A

AGENDA

Workshop on Enhancement of stakeholder engagement in the implementation of WTO Trade Facilitation Agreement (TFA)

August 16th, 2017

Sai Gon New World Hotel, Ho Chi Minh City, Viet Nam

MORNING SESSION	
8:30 – 9:00	Registration
9:00 – 9:20	Opening Remarks Dr Vu Ngoc Anh Deputy Director General General Department of Viet Nam Customs APEC 2017 SCCP Chair Mr Diego Garcia Gonzalez Program Director Anti-Corruption / Customs Procedures APEC Secretariat
9.20 – 9.30	Photo Session
Session 1 09:30 – 10:40	Presentations Towards the implementation of the WTO-TFA - Where do we stand? <ul style="list-style-type: none">• “WTO Trade Facilitation Agreement - State of Play”, Mr Xiaobing Tang, Senior Counsellor, Market Access Division, World Trade Organization;• “Progress of Asia and the Pacific in Trade Facilitation and Way Forward”, Mr Sangwon Lim, Economic Affairs Officer in the Trade, Investment and Innovation Division, United Nations ESCAP;• “Status Quo of Japan Customs - Trade Facilitation Agreement”, Ms Naoki Ida, Director for Technical Cooperation, Customs and Tariff Bureau, Ministry of Finance of Japan;• Australia Department of Immigration and Border Protection. Q&A
10:40 – 11:00	Coffee Break

<p>Session 2 11:00 – 12:30</p>	<p>Panel Discussion Engagement of Customs Administration and other Border Agencies in Trade Facilitation Facilitator: Ms Cynthia F. Whittenburg Deputy Executive Assistant Commissioner Office of Trade US. Customs and Border Protection</p> <ul style="list-style-type: none"> • <i>“Engagement of customs administration and other border Agencies in Trade Facilitation”</i>, Ms Cynthia F. Whittenburg, Deputy Executive Assistant Commissioner, Office of Trade, US Customs and Border Protection; • <i>“Cooperation between China Customs and other border agencies on trade facilitation”</i>, Mr Ji Yong, Office of WTO Affairs, Department of International Cooperation, General Administration of China Customs; • <i>“Korea’s best practice on Coordinated Border Management-Joint inspection system”</i>, Mr Seoung Hoon Eom, Assistant Director of Multilateral Cooperation Division, Korea Customs Service; • <i>“Viet Nam National Single Window - Food importation inspection”</i>, Ms Tran Trang, Officer of Department of Legislation and International Cooperation, Viet Nam Food Administration, Ministry of Health of Viet Nam. <p>Q&A</p>
<p>12.30 – 14.00</p>	<p>Lunch</p>
<p>AFTERNOON SESSION</p>	
<p>Session 3 14:00 – 15:00</p>	<p>Panel Discussion Strategies for fostering private sector participation in the TFA implementation process; expectations and experiences of collaboration in the NTFCs Facilitator: Dr Peter Faust Advisor of Transportation and Trade Facilitation</p> <ul style="list-style-type: none"> • <i>“Private sector participation in the TFA implementation process”</i>, Dr Peter Faust, Advisor of Transportation and Trade Facilitation; • <i>“Trade facilitation: Reform of customs administration and specialized inspections in Viet Nam”</i>, Ms Nguyen Minh Thao, Director of Department of Business environment and Competitiveness, Central Institute for Economic Management, Ministry of Planning and Investment of Viet Nam; • <i>“Viet Nam biz and the TFA”</i>, Ms Nguyen Thi Thu Trang, Director of WTO Center, Director of Legal Department, Viet Nam Chamber of Commercial and Industry; • <i>“Stakeholder engagement in the WTO-TFA”</i>, Mr Marcus Bartley Johns, Senior Trade Specialist, Trade and Competiveness Global Practice, World Bank. <p>Q&A</p>

<p>Session 4 15:00 – 15:45</p>	<p>Presentations Technical Assistance and Capacity Building</p> <ul style="list-style-type: none"> • <i>“WTO Trade Facilitation Agreement and the WCO Mercator Programme”</i>, Ms Vyara Filipova, Technical Attaché, Compliance and Facilitation Directorate, World Customs Organization; • <i>“Implementation of the WTO Trade Facilitation Agreement-World Bank Group Activities”</i>, Mr Marcus Bartley Johns, Senior Trade Specialist, Trade and Competiveness Global Practice, World Bank; • <i>“Japan Customs’ Technical Assistance/Capacity Building”</i>, Mr Naoki Ida, Director for Technical Cooperation, Customs and Tariff Bureau, Ministry of Finance of Japan; • <i>“KCS Capacity Building Program for TFA Implementation”</i>, Mr Seoung Hoon Eom, Assistant Director of Multilateral Cooperation Division, Korea Customs Service; • <i>“WTO-TFA implementation - Technical assistance and capacity building”</i>, Ms Nguyen Pham Nhu Ha, Deputy Head of Division, Customs Supervision and Control Department, General Department of Viet Nam Customs. <p>Q&A</p>
<p>15.45– 16.15</p>	<p>Coffee Break</p>
<p>16:15 – 17:00</p>	<p>Wrap up and the way forward Chair of the workshop: Mr Nguyen Toan Director International Cooperation Department General Department of Viet Nam Customs Project Overseer</p> <p>(I) Key Challenges and Recommendations (ii) Draft Work plan (iii) Draft outline of the Survey to be conducted after the workshop</p>

ANNEX B

Evaluation Questionnaire Enhancement of Stakeholder Engagement in the Implementation of the Trade Facilitation Agreement of the World Trade Organization (WTO-TFA) -Proposed by Viet Nam-

I. GENERAL INFORMATION ON WTO-TFA IMPLEMENTATION

Q1. How has WTO-TFA been implemented in your economy after it came into force?

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Q2. Does your economy make any amendment/adjustment of customs law/regulations to implement WTO-TFA?

Please tick "√" in the corresponding box

Yes	
No	

Q3. What are key challenges/obstacles of implementation of WTO-TFA in your economy?

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Q4. Has the NTFC (NTFC) been established in your economy to implement WTO-TFA?

Please tick "√" in the corresponding box

Yes	(when)
No	

Q5. If "Yes" in Q4, please kindly name members of the NTFC been established in your economy?

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Q6. If "Yes" in Q4, please kindly specify how the NTFC works in your economy?

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II. STAKEHOLDER ENGAGEMENT

Q7. How many governmental/border agencies involved in the implementation of WTO-TFA in your economy?

Quantity	
Specify names of governmental agencies/ ministries	

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Q8. Which agency is the leading of implementation of WTO-TFA in your economy?

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Q9. The role of Customs Administration in implementing WTO-TFA in your economy.

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Q10. What are key challenges/obstacle of implementation of WTO-TFA in your economy in terms of stakeholder engagement? Please "√" in the corresponding box and add more challenges/obstacles in your own economy.

Engagement of Customs Administration and other Border Agencies	
Poor legal framework	
Security threat related to the exchange of information/single window system/application of ICTs	
Limited resources in terms of human sources and finance supports	
Poor coordination among agencies	
Other government agencies often not fully committed to the WTO-TFA agenda – “It’s just a Customs issue”	
Lack of an integrated approach to risk management and compliance management across agencies	
Others (please kindly specify)	
Participation of private sector	
Poor coordination between government agencies and private sector	
Inadequate advocacy work done to ensure buy-in from private sector	
High level of support for WTO-TFA measures by private sector - but their potential contribution to mobilizing political support for reform is not always fully exploited	
Others (please kindly specify)	
Collaboration in the NTFCs	
The NTFCs involving both the private and public sectors are easy to establish but difficult to sustain	
Others (please kindly specify)	
Technical Assistance and Capacity Building	
Carrying out workshops/ programs requires nurturing the pool of WTO-TFA experts	
More advanced diagnostic methods are necessary to better identify beneficiary members’ WTO-TFA implementation status	
Lack of infrastructure poses a challenge in WTO-TFA implementation for beneficiary members	

Monitoring and evaluation can be tricky	
Others (please kindly specify)	
Other challenges/obstacles (please kindly specify)	

Q11. How do you rate the level of engagement of relevant stakeholders in the implementation of WTO-TFA in your economy?

Please "√" in the corresponding box.

- Private sector:

High	Medium	Low
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- Industrial associations:

High	Medium	Low
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- Relevant border agencies:

High	Medium	Low
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- International organizations/donor:

High	Medium	Low
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Q12. The role of private sector and industrial/commercial associations in the implementation of WTO-TFA in your economy.

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Q13. What measures does your economy use to encourage private sector's participation in implementing WTO-TFA?

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Q14. What measures does the leading agency in your economy use to encourage relevant agencies' participation in implementing WTO-TFA?

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Q15. How do international organisations support your economy to implement WTO-TFA?

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Q16. Does your economy have capacity building and technical assistance programs to support WTO-TFA implementation?

Yes	
No	

Q17. If "Yes" in Q16, please kindly provide the following information (in case it is available to share):

Name of program	Donor(s)	Area of support

III. RECOMMENDATIONS/SUGGESTIONS

Q18. Please kindly provide recommendations/suggestions on how to improve engagement/involvement of all relevant stakeholders in WTO-TFA implementation in your economy?

Q19. Please kindly provide if your economy has any recommendations/suggestions on how to develop customs-customs cooperation to promote WTO-TFA implementation in Asia Pacific region.

- Thank you -

ANNEX C

Evaluation Questionnaire Outcomes

The Evaluation Questionnaire including 19 questions and 2 main parts: (i) implementation of WTO-TFA in SCCP members; and (ii) stakeholder engagement in implementing WTO-TFA in SCCP members was circulated on Nov 6, 2017 to all SCCP members. There were 17 out of 21 members responded.

So far, it is well known that 19 out of 21 APEC members ratified the WTO-TFA. Economies already made great strides forward in trade facilitation, transparency, standardization, internationalization and trade security. In terms of legal framework for TFA implementation, the information was given that some members have amendment/adjustment of customs law to implement the WTO-TFA Thailand, Viet Nam, the Philippines, Malaysia, Brunei Darussalam, Chinese Taipei, Indonesia, China, Korea, Peru and Chile while a group of some members has no amendment or adjustment like Japan; Australia; Hong Kong, China; New Zealand; the United States; Singapore.

Obstacles and challenges pointed out from members mostly from developing economies. (i) the first one is Engagement of Customs Administration and other Border Agencies, it is noted some points: Poor legal framework ; Limited resources in terms of human sources and finance supports; Poor coordination among agencies; Lack of an integrated approach to risk management and compliance management across agencies; (ii) Participation of private sector: Poor coordination between government agencies and private sector; it requires High level of support for TFA measures by private sector but their potential contribution to mobilizing political support for reform is not always fully exploited; Creating public awareness about the TFA; (iii) Technical Assistance and Capacity Building: Carrying out workshops/programs requires nurturing the pool of WTO-TFA experts; More advanced diagnostic methods are necessary to better identify beneficiary members' WTO-TFA implementation status; Training people to create technical experts on TFA

Currently, the NTFC was established in 14 responded members including the Philippines; Thailand; Malaysia; Korea; China; Brunei; Chinese Taipei; Viet Nam; the United States; New Zealand; Australia; Hong Kong, China; Japan and Singapore. The information from economies showed that the NTFC works quite well with the role of:- basis to discuss updates to each agency's TFA related programs and to highlight TFA obligations of significant priority; forum to facilitate both domestic coordination and implementation of the provisions of the WTO-TFA; discuss opportunities for reform and improvements to the international trade environment by looking into trade facilitative projects; to coordinate trade facilitation policies and measures across different ministries, guiding, monitoring and pushing forward the implementation of the TFA with joint efforts. Through the answers, it is showed that there are 3 economies in which the NTFC has participation of the governmental ministries/agencies and private sector (Australia, Malaysia and Thailand).

In the stakeholder engagement, it has participation of related government agencies and private sector: the United States: 47 (agencies and private sector), Malaysia: 38 (agencies and private sector), Chinese Taipei: 36 (agencies), Indonesia: 18 (agencies), China: 16 (agencies), the Philippines: 14 (agencies), Brunei: 11 (agencies), Viet Nam: 11 (agencies), Peru: 7 (agencies), Singapore: 6 (agencies).

The Leading agency/Focal point: ministry of trade/commerce/industry is the Leading agency/Focal point in 9 economies, customs in 4 economies and we have both in ministry of trade and customs in 2 economies. It can be seen that in APEC region, Customs is the leading

agency or focal point just in some economies. However, in economies with ministry of trade is the leading agency, customs still plays an very important role like: engages with industry and government stakeholders to discuss the future trade landscape in concurrence with the objectives/articles of the WTO-TFA; customs administration execution, review of implementation and capacity building as stipulated in the TFA provisions; dealt with customs standard procedures in import and export for the relevant to the WTO-TFA and easier flow of trade facilitation.

Rate of engagement: 11 out of 16 responded members rated the involvement of government agencies and private sector at high level; and 2 economies put that at medium level and 3 at low rate. thus, it is considered that numbers may show the positive feedback of the stakeholder engagement in general.

By the given information from economies, roles of private sector could be defined such as: supporting government by highlighting issues and providing suggestions to improve trade and investment facilitation towards the industry; delivering technical expertise and resources to support targeted reform efforts, examining emerging strategic issues in the international trade environment, co-hosting seminars and fora with relevant agencies to discuss the direction of the TFA implementation and provide education and consulting to the private sector, disseminating all policies and insurances relating to the TFA to the relevant sectors.

International organization support and technical assistance: provide trainings to government officers involved in border protection, consultation, organize multilateral seminars, workshops, meetings. Technical assistance could be from WCO, WB, ADB, WTO, UNCTAD. Members have their own technical assistance and capacity building to support WTO-TFA implementation: the United States, Japan, Australia, New Zealand, Brunei, Korea. Malaysia, China. It is hoped that technical assistance and capacity building could be provided from international organisations or from developed economies so that it could support for further activities of the TFA implementation in APEC.

Recommendation on how to engage stakeholders from members' views: raise awareness of all relevant stakeholders on the importance of WTO-TFA; the use of expert advisory/working groups under the auspices of the NTFC can assist economies and their administrations in implementing TFA articles as the subsidiary working groups can focus on particular areas relevant to WTO-TFA implementation; move forward from the engagement of the private sector by the appointment in the NTFC to regularly reflecting opinions of many stakeholders by hosting private sector joint workshop with relevant agencies, briefing sessions and listening to opinions and feedbacks; the NTFC may engage stakeholders through surveys and targeted interviews to research and document industry priorities and ambitions in relation to the facilitation of international trade within the scope of the TFA; establishing the appropriate contact points in the agencies, maintaining regular contact with each other, and keeping each other updated of latest development related to trade facilitation; develop workshops and trainings and informative meetings where the opinions/proposals or initiatives of the private sector are collected to be analyzed.

ANNEX D

SPEECH OF SCCP CHAIR HE MRVU NGOC ANH AT THE WORKSHOP ON ENHANCEMENT THE COOPERATION WITH STAKEHOLDER IN THE IMPLEMENTATION OF WTO-TFA

16 August, 2017

Distinguished resourced speakers,

My colleagues from the APEC Sub-committee on Customs Procedure,

*Fellow development partners and representatives of the private sector;
Ladies and Gentlemen.*

Good morning. It is my pleasure to welcome you all here to Ho Chi Minh city today in this Workshop on Enhancement of Stakeholder Engagement in the Implementation of WTO Trade Facilitation Agreement. This workshop results from a cooperative collaboration between Viet Nam Customs and the other APEC Customs Members as well as APEC Secretariat, and gives us an opportunity to talk about a subject that is near and dear to my heart—how we can all work together to enjoy the best benefit of trade facilitation.

I am particularly pleased to share the stage with international and local experts on trade facilitation from WTO, WCO, UNCTAD, UN, WB, APEC Customs Administrations, VCCI, relevant agencies in Viet Nam and private sector.

The Trade Facilitation Agreement is the first multilateral agreement successfully negotiated at the WTO since its foundation two decades ago, and its entry into force taking place at the same time with the first SCCP meeting in Viet Nam in February 2017 which signaled a major milestone for the global trading system. One frequently referenced report by the Peterson Institute in 2013 estimated that implementing the trade facilitation reforms in the TFA would expand global trade by as much as \$1 trillion annually!

The WTO Trade Facilitation Agreement provides a unique opportunity to Members to reduce time and cost of international trade transactions by imposing binding obligations to improve the transparency and efficiency of border procedures. Trade Facilitation has become central to the economic agenda of members around the world.

Distinguished guests.

Ladies and Gentlemen.

The Trade Facilitation Agreement contains numerous provisions designed to simplify, coordinate and automate customs and other border procedures across WTO members, such as, pre-arrival processing, authorized economic operator scheme, post clearance audit, risk management and the obligation to use a ‘single window’ for the submission of documents and data to be used by all agencies involving in the import and export process.

While governments are to implement all provisions of the TFA, private sector can play a decisive role in all phases of the project (from needs assessment to monitoring of implementation and evaluation through a feedback loop). The Agreement itself acknowledges the importance of involvement of all international trade stakeholders by making it mandatory to hold regular consultations, provide opportunity to comment on proposed or new regulations and establish a committee to oversee domestic implementation and coordination. In the Section II of the Agreement, apart from your self-effort, you also see the necessary Technical assistance and Capacity building extended by various donors as a practical tool to implement the TFA.

We are aware that there are various stakeholders in moving forward with TFA implementation. Successful implementation of the TFA will require collaboration between and

among the public and private-sectors, Government Agencies, Customs Administrations and WTO Members with international/regional development partners.

As the Chair of SCCP – APEC Viet Nam 2017, I thank you all again and wish you the best of luck. I also want to thank our speakers and moderators, who are here today to share their findings and their experiences in TF implementation. I hope that all of you take this opportunity to have an active discussion for the best and appropriate measures to implement the TFA in your respective economies.

I wish our workshop a great success.

Thank you very much./

ANNEX E: LIST OF PARTICIPANTS

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ANNEX F: WORKSHOP'S PHOTO

