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Economic and Social Commission for Asia and the Pacific

Fourth meeting of the Interim Intergovernmental Steering Group
on Cross-border Paperless Trade Facilitation

Bangkok, 22 and 23 March 2018

Agenda item 6

Adoption of the report of the meeting

Draft report

I. Matters calling for action by the Commission or brought to its attention

A. Facilitating implementation of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

1. The Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation notes the progress made by member States in ratifying or acceding to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific and requests the secretariat to provide technical assistance and capacity-building to those member States seeking support, subject to resource availability.

B. Preparation of a draft road map for the implementation of the substantive provisions in the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

2. The Steering Group notes the progress made by the Legal and Technical Working Groups, and requests them to continue improving the draft road map for the implementation of the substantive provisions in the Framework Agreement and its supporting documents for further review at the fifth meeting of the Steering Group.

C. Operation of the Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation

3. The Steering Group decides to continue its operation until the Framework Agreement enters into force, focusing on improving the draft road map and its supporting documents.

II. Proceedings

A. Report on progress made on the implementation of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

(Agenda item 2)

4. The meeting had before it the report on progress made on the implementation of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (ESCAP/PTA/IISG/2018/1). The Chief of the Trade Policy and Facilitation Section introduced the document. The Chair invited representatives of participating delegations to report on their status with respect to becoming parties to the Framework Agreement.

5. Representatives of the following members and associate members of the Economic and Social Commission for Asia and the Pacific made statements: Armenia; Azerbaijan; Bangladesh; Bhutan; Cambodia; China; France; India; Indonesia; Iran (Islamic Republic of); Kyrgyzstan; Lao People's Democratic Republic; Malaysia; Maldives; Mongolia; Myanmar; Nepal; Netherlands; Pakistan; Papua New Guinea; Philippines; Republic of Korea; Russian Federation; Samoa; Sri Lanka; Thailand; Uzbekistan; and Viet Nam.

6. Armenia informed the meeting that the Framework Agreement was in the process being ratified and was currently with the Ministry of Foreign Affairs. The process of aligning existing laws with the Framework Agreement was ongoing. With recent changes in legislation, the ratification process had been slowed.

7. Azerbaijan informed the meeting that it had submitted its instrument of accession to the United Nations on 8 March 2018 after having completed the domestic legal review led by the Ministry of Foreign Affairs.

8. Bangladesh informed the meeting that it had signed the Framework Agreement in August 2017. It was conducting stakeholders' consultations on ratification and would form a committee in the Ministry of Commerce to complete the ratification process.

9. Bhutan reported that it had carried out stakeholders' consultations with the support of the secretariat in September 2017 and had submitted the Framework Agreement together with a national interest analysis report to the Cabinet, which had forwarded them to the Office of the Attorney General for legal review. Following the completion of the legal review by the Office of the Attorney General, it hoped to join the Framework Agreement within a year.

10. Cambodia informed the meeting that, since it had signed the Framework Agreement in August 2017, it had been consulting with the relevant agencies on ratification. After further consultations, which would take some time, it would propose ratification to Parliament.

11. China informed the meeting that, after having signed the Framework Agreement in August 2017, it had immediately started the domestic ratification process with positive progress, including completion of consultations with line ministries and other procedures according to domestic regulations. It had also hosted a capacity-building workshop for the promotion of the Framework Agreement and paperless trade in May 2017, with the participation of 20 officials from seven member States, and planned to host another event in 2018. China also informed the meeting of its initiative in cross-border paperless trade in the area of quarantine and inspection.

12. France informed the meeting that, while it was interested in joining the Framework Agreement, it had a language issue because the French Constitution required a certified true copy to be available in the French language. An internal committee that had been set up to discuss the matter had confirmed that acceding to the English-language version of the treaty would be problematic. It would further discuss with the secretariat how that issue might be resolved.

13. India reported that it had been making good progress with implementing the Agreement on Trade Facilitation of the World Trade Organization (WTO) and a single window system. On the Framework Agreement, it reported that the Ministry of Commerce and Industry had been conducting consultations with line ministries. It further informed the meeting that it was committed to paperless trade and considered the Framework Agreement positively in pursuing trade facilitation beyond its WTO commitments.

14. Indonesia informed the meeting that it was in the process of translating the Framework Agreement into the national language and carrying out inter-agency consultations under the coordination of the Ministry of Trade. It should conduct a cost-benefit analysis and requested support from the secretariat on best practices for completing the domestic process towards accession.

15. The Islamic Republic of Iran informed the meeting that, after signing the Framework Agreement in 2017, a proposal for ratification had been reviewed by the Cabinet and had been submitted to Parliament for approval.

16. Kyrgyzstan informed the meeting that it was translating the Framework Agreement into the national language and conducting inter-agency consultations which were currently on hold pending an in-depth impact assessment of joining.

17. The Lao People's Democratic Republic informed the meeting that it was in consultation with various departments on joining the Framework Agreement to assess its readiness and the right time to join. It requested the secretariat to share best-practice cases of single-window system implementation in landlocked countries.

18. Malaysia informed the meeting that it understood the importance of joining the Framework Agreement and was conducting consultations with line ministries and customs under the coordination of the Ministry of International Trade and Industry. It aimed to join the Framework Agreement in 2018 or 2019 after resolving all the issues.

19. Maldives informed the meeting that the Office of the Attorney General had decided, given the nature of the Framework Agreement, that parliamentary approval would not be required to join and that Cabinet approval would be sufficient. It further informed the meeting that it was in the process of preparing a cabinet paper on joining the Framework Agreement for submission in the second quarter of 2018, with the expectation of approval by early 2019, pending the national elections in 2018.

20. Mongolia informed the meeting that it had organized national stakeholders' consultations with the support of the secretariat in 2017 and that it was in the process of authenticating the Framework Agreement in the national language before submission to the Cabinet for review.

21. Myanmar informed the meeting that it was conducting stakeholders' consultations with line ministries and customs and requested technical assistance from the secretariat in completing stakeholders' consultations.
22. Nepal informed the meeting that it was in the process of conducting stakeholders' consultations and a legal review with respect to joining the Framework Agreement.
23. The Netherlands informed the meeting that it had nothing to report with regard to joining the Framework Agreement because no action had been taken on the matter. It shared with the meeting an overview of the work that had been done in the Netherlands on trade facilitation and paperless trade.
24. Pakistan informed the meeting that it was in its second round of stakeholders' consultations, as the Cabinet had directed the Ministry of Commerce to carry out another short consultation by the end of May 2018, after its review of the outcome of the first consultation on accession to the Framework Agreement. It also shared its confidence that it would complete the domestic process within the next few months. It also provided information on its recent initiatives on paperless trade.
25. Papua New Guinea reported that it could not sign the Framework Agreement in 2017 due to the timing of elections for a new government in 2017, despite support from the secretariat to organize a stakeholders' consultation. It was conducting a cost-benefit analysis, which had been introduced as one of the new requirements to join a treaty by the new government. It requested support from the secretariat for that task.
26. The Philippines informed the meeting that its Department of Foreign Affairs had held consultations with concerned government agencies. Its Department of Finance was in the final stage of reviewing the Framework Agreement to assess whether acceding to it would require amendments to domestic laws, which would require the Senate's approval.
27. The Republic of Korea was in the process of conducting inter-agency consultations.
28. The Russian Federation informed the meeting that it was in the process of inter-agency consultations. It was positive of the value of the ongoing work related to the Framework Agreement and its future. It would join the Framework Agreement as soon as inter-agency consultations could be completed.
29. Samoa informed the meeting that it had yet to launch formal inter-agency consultations on acceding to the Framework Agreement and requested support from the secretariat. It further shared its view on the value of the Framework Agreement in facilitating full implementation Agreement on Trade Facilitation of the WTO.
30. Sri Lanka informed the meeting that it had held a stakeholders' consultation with members of the National Trade Facilitation Committee in September 2017, with the support of the secretariat. It had decided to include joining the Framework Agreement in the development of a single window system blueprint, which was to be delivered by 30 June 2018.

31. Thailand informed the meeting that it was in the process of inter-agency consultations. Being fully aware of the importance of the Framework Agreement, it was keen to join after completing all the necessary processes.

32. Uzbekistan informed the meeting that it was conducting an assessment on readiness and the potential risks of joining the Framework Agreement. It would submit a proposal to the Cabinet of Ministers for consideration once a consensus among relevant ministries and authorities had been reached.

33. Viet Nam informed the meeting that it was in the process of translating the Framework Agreement into Vietnamese. It planned to organize a stakeholders' workshop in the third quarter of 2018 and to conduct a domestic legal review before the end of 2018.

34. Several developing member States indicated that they would like to have technical assistance from the secretariat on completing domestic processes for becoming parties to the Framework Agreement, including organizing stakeholders' consultations.

35. The secretariat informed the meeting that it could provide technical assistance to facilitate stakeholders' consultations upon receipt of an official support request, with priority given to countries with special needs, subject to available time and resources.

B. Report on progress made by the Legal and Technical Working Groups on the preparation of a draft road map for the implementation of the substantive provisions in the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

(Agenda item 3)

36. The meeting had before it the report on progress made by the Legal and Technical Working Groups in their mandated tasks (ESCAP/PTA/IISG/2018/2) and the draft road map for the implementation of the substantive provisions in the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (ESCAP/PTA/IISG/2018/CRP.1). The Chief of the Trade Policy and Facilitation Section introduced the documents.

37. The Chair of the Legal Working Group reported on progress made during the fifth meeting of the Legal and Technical Working Groups, held on 20 and 21 March 2018. The Working Groups had reviewed the draft road map and supporting documents, in particular draft technical and legal gap checklists. The Working Groups had decided to continue their operation, subject to a decision of the Steering Group at the current meeting.

38. The meeting noted the progress made by the Legal and Technical Working Groups in their mandated tasks.

C. Discussion on future operations of the Steering Group

(Agenda item 4)

39. The secretariat proposed that the Steering Group and its Working Groups should continue their operation until the Framework Agreement entered into force. The fifth meeting of the Steering Group would tentatively be held in March or April 2019. Consultative sessions with development partners and private sector actors involved in the development of cross-border paperless trade solutions would also be held in conjunction with the Steering Group meeting.

40. The Steering Group agreed to the proposal and decided to continue its operation, with support from the Legal and Technical Working Groups, until the Framework Agreement entered into force, focusing on improving the draft road map and its supporting documents.

D. Other matters

(Agenda item 5)

41. The meeting had no other matters to discuss.

E. Adoption of the report of the meeting

(Agenda item 6)

42. The meeting adopted the present report on 23 March 2018.

III. Organization

A. Opening, duration and organization of the meeting

43. The fourth meeting of the Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation was held in Bangkok on 22 and 23 March 2018.

44. The Deputy Executive Secretary of the Economic and Social Commission for Asia and the Pacific delivered an opening statement.

B. Attendance

45. The meeting was attended by representatives of the following members and associate members: Armenia; Azerbaijan; Bangladesh; Bhutan; Cambodia; China; France; India; Indonesia; Iran (Islamic Republic of); Kyrgyzstan; Lao People's Democratic Republic; Malaysia; Maldives; Mongolia; Myanmar; Nepal; Netherlands; Pakistan; Papua New Guinea; Philippines; Republic of Korea; Russian Federation; Samoa; Sri Lanka; Thailand; Uzbekistan; and Viet Nam.

46. Representatives of the United Nations Commission on International Trade Law attended.

47. One observer and nine resource persons also attended.

C. Election of officers

48. The meeting elected the following officers:

Chair: Mr. Yusuf Riza (Maldives)

Vice-Chairs: Ms. Rama Dewan (Bangladesh)

Mr. Muwasiq Noor (Indonesia)

D. Agenda

49. The meeting adopted the following agenda:
1. Opening of the meeting:
 - (a) Opening address;
 - (b) Election of officers;
 - (c) Adoption of the agenda.
 2. Report on progress made on the implementation of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific.
 3. Report on progress made by the Legal and Technical Working Groups on the preparation of a draft road map for the implementation of the substantive provisions in the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific.
 4. Discussion on future operations of the Steering Group.
 5. Other matters.
 6. Adoption of the report of the meeting.

Annex

List of documents

<i>Document symbol</i>	<i>Document title</i>	<i>Agenda item</i>
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