



REPORT of the 4th Meeting of the ASEM Working Group on Customs Matters (AWC)

**6-7 May 2010
Ha Noi/ Viet Nam**

Introductory Note

The 4th Meeting of the ASEM Working Group on Customs Matters (the 4th AWC Meeting) took place on 6-7 May 2010 in Ha Noi, Viet Nam. There were 55 participants at the meeting from 28 ASEM members, namely Austria, Bulgaria, Belgium, Brunei, China, Cambodia, Denmark, European Commission (EC), Finland, France, Germany, Hungary, India, Indonesia, Italy, Japan, Korea, Malaysia, Myanmar, the Netherlands, Poland, Singapore, Slovenia, Spain, Sweden, Thailand, United Kingdom and Vietnam. The World Customs Organization (WCO), RILO A/P, ROCB attended as Observers. The list of participants is enclosed as **Annex 1**.

The main aim of the 4th AWC Meeting was to launch the ASEM Customs Action Plan as agreed by ASEM Customs Directors General/Commissioners at their 8th meeting in Heraklion, Greece, in October 2009.

It further evaluated the usefulness and results of the first ASEM Customs – Trade Day, which was held back to back to the 4th AWC Meeting on 5th May 2010. The agenda and separate minutes of the ASEM Customs-Trade-Day are enclosed as **Annex 2**.

Report

1. Opening session

The meeting participants selected Mr. Nguyen Toan – Director of International Cooperation Department to chair the 4th AWC Meeting. In the opening remark, the Chair outlined the main aims of the meeting, which should contribute to fulfil the tasks given to the AWC by the ASEM Customs Directors General/Commissioners.

2. Adoption of Agenda

China proposed to add one Agenda Item 8.3: The ASEM Customs Seminar on Trade Security and Facilitation, which was approved. The Agenda of the Meeting was adopted as **Annex 3**.

3. Report of the 8th Meeting of the ASEM Customs Directors General/Commissioners

EC gave a brief presentation on the main results of the 8th Meeting of the ASEM Customs Directors General/Commissioners. She also informed that the next DGs/Commissioners Meeting would be held in Thailand in 2011.

4. ASEM Customs – Trade day

4.1 Presentation of main outcomes and results

Viet Nam summarised the discussions and outcome of the first ASEM Customs – Trade day. A full written meeting summary was agreed (enclosed as **Annex 4**). Vietnam agreed to ensure that the meeting summary was distributed, along with the presentations made at the Trade Day, to all participants (in particular the business community), who explicitly asked for this information.

4.2. Evaluation of the structure/content etc. of the first ASEM Customs-Trade-Day and proposals for follow-up

The meeting agreed that such an event is a necessary and important forum for both customs and trade and should be continued. This was confirmed by the high number of participants and their interest expressed in the discussions. Most of the areas addressed by trade representatives touched on points that are already covered by the ASEM customs work, which is an encouragement and confirms that work is going in the right direction. The structure and participants of the Customs – Trade Day should be decided by the host customs Administration, but all ASEM members are invited to communicate proposals to the respective host (e.g. whom to invite, agenda items). The Meeting also agreed that the summary of the first ASEM Customs-Trade Day together with the recommendation to continue this important event would be submitted to the 9th ASEM Customs Directors-General/Commissioners Meeting to be hosted by Thailand in 2011. Additionally, the summary should be presented to the upcoming ASEM Summit of Brussels, Belgium in October 2010.

5. Presentation of the agreed actions and a "way forward": Timetable up to the next ASEM DGs/Commissioners Meeting.

EC gave a presentation on a "proposed way forward" to implement the agreed actions, in particular those that need to be launched. It was proposed to agree on scope, methodology, required input by ASEM members and timing at the 4th AWC Meeting, so that each ASEM member knows what she has to do when. The main events are:

- 4th AWC Meeting: adoption of a "way forward" for each action and start implementation;
- 5th AWC Meeting (spring 2011): discussion of draft papers;
- 9th ASEM Customs DGs/Commissioners Meeting (End 2011): discussion and endorsement/approval of final draft papers/recommendations/proposals.

The Meeting agreed on the proposed ASEM Customs work plan.

6. Presentation of Action by coordinators: Proposed ways to implement the agreed actions

The action coordinators gave a presentation on a proposed way forward for each action. After discussion, the meeting agreed on a "way forward", in particular scope, methodology, required input and timing of each action. A "mini-project plan" was prepared for each action (enclosed as **Annex 5**).

It was reminded that all work should be complementary to already existing documents and ongoing initiatives and not duplicate. For action 1 (Support ASEM members to set up national AEO programmes) it was confirmed that particular attention should be paid to ensure compatibility of AEO programmes as well as complementarity and synergy effects with the development of AEO Compendium at the WCO. The EC stressed the high expectations DGs/Commissioners were putting in action 4 (Overview of best practices of customs IPR enforcement), which could then feed into WCO work.

7. Collection of information to support the agreed actions: Examples of relevant key initiatives/documents

Viet Nam gave a presentation on relevant action plans which are implemented by ASEAN Customs cooperation, such as the Action plan on Partnership with Customs Stakeholders and the Trading community: Customs – Business cooperation to secure and facilitate trade (dialogue/consultation organized annually at DGs meeting and frequently at working level (Coordinating Committee on Customs – CCC)); Action plan on Enforcement and mutual assistance: enhancing enforcement and mutual assistance for the prevention of commercial fraud and protection of IPR; Action plan on public security and protection of the society: toward a secured social environment.

Japan informed of two important initiatives relevant for the agreed actions on AEO and IPR respectively: an AEO action plan was approved under APEC this year, aiming to support APEC members to develop AEO programs, including through the development of an AEO compendium. Japan also highlighted the good cooperation with Korea and China on customs IPR enforcement, in particular through the "Fake Zero Project".

EC explained that there were a number of useful documents/initiatives that should be taken into account by action coordinators when preparing papers on good practices. These are in particular:

- on AEO: WCO SAFE framework of standards (WCO SAFE package); recommendations of the EU-China SSTL pilot project; EU Customs Blueprints;
- on customs IPR enforcement: EU-China IPR Action Plan; EU Customs Blueprints; recommendations of Joint Customs Operations (e.g. Diabolo).
- on the role of customs in enforcing environmental law: ongoing ASEM customs study on exports of waste; recommendations of IMPEL; experiences of NL (VROM) – India/China workshops on compliance of exports of waste shipment;
- on dialogue with traders: Swedish-Singapore Joint Customs-Business Partnership Model; EU Customs Blueprints.

A presentation by the WCO highlighted WCO Key Initiatives and Instruments for enhancement of customs roles and functions in the trade facilitation and security such as Customs in the 21st Century; Revised Kyoto Convention; SAFE Framework of Standards; Harmonized System; Istanbul Convention/ATA Carnets; Time Release Study; WCO Data Model ; UCR; and Nairobi Declaration among other initiatives.

8. Future ASEM Meetings

8.1. State of play of preparations of the ASEM Summit and AEBF

Belgium informed on preparations of the ASEM Summit and AEBF, confirming that it will ensure that the work of the ASEM customs fora (in particular the results of the DGs/Commissioners meeting, Heraklion Declaration and Customs-Trade-Day) are appropriately presented and taken into account at the Summit and respective Summit documents and declarations. AEBF is dedicated to financial issues/financial sector and provides no scope for trade or customs related topics.

The EC confirmed its cooperation to ensure that ASEM customs work is well reflected.

8.2. 5th ASEM AWC meeting

The Netherlands offered to host the 5th AWC Meeting in the first semester of 2011. The AWC thanked the Netherlands and agreed to resume for the 5th AWC Meeting in the Netherlands next year, back to back with the second ASEM-Customs-Trade-Day

8.3. The ASEM Customs Seminar on Trade Security and Facilitation (point added by China)

China proposed to organise and host an ASEM Customs Seminar on Trade Security and Facilitation on 14-15 July 2010 in Shanghai, China. The invitation with programme would be circulated by early June. The agenda was outlined as:

- Presentation of results of the 4th AWC Meeting;
- TFAP stocktaking (presentation of state of play and eventual obstacles for implementation);
- AEO questionnaire (action coordinators present and explain);
- Trade Facilitation questionnaire (action coordinators present and explain);
- Customs-to-customs cooperation (update of EU-China SSTL project);
- Security risk management (EC offered to make presentation);
- Mutual recognition (EC offered to make presentation).

The EC underlined that the seminar is a meeting of experts in the field of supply chain security and trade facilitation which should report back to the AWC and subsequently to Customs DGs/Commissioners. It was agreed that the meeting should contribute to the ongoing work of the AWC by addressing in more depth the actions relating to trade facilitation and security, in cooperation with action coordinators.

9. Update of contact list

The contact list was distributed for possible updates. Final version is enclosed as **Annex 6.**

10. Conclusions and closing remarks for AWC

The Chairman concluded that the main aim of the meeting, the launch of actions, could be achieved. He thanked all participants and in particular the action coordinators for the cooperation and support. He reminded all members to contribute timely to the actions within the agreed deadlines, in particular to reply to questionnaires that will soon be submitted.

He informed that the draft AWC meeting report would be circulated for comments in June 2010.