



**11th ASEM CUSTOMS DIRECTORS-GENERAL AND
COMMISSIONERS MEETING
8-9 OCTOBER 2015, GOA, INDIA**

CHAIRMAN'S SUMMARY

1. The 11th ASEM Customs Directors General/Commissioners meeting in Goa, India on 8-9 October 2015 was attended by the Heads of Customs Administrations and senior Customs Officials from 41 ASEM Members, including the European Union. The World Customs Organization was present as an observer. The meeting was chaired by Mr. Najib Shah, Chairman of the Central Board of Excise and Customs (CBEC), India.

2. In his welcome address to delegates, Mr. Najib Shah spoke about the changing role of Customs, underlined the important tasks of the meeting and highlighted the priorities of the Customs Directors General/Commissioners Meeting, which would further the objective of ASEM, that is to bring closer Asia and Europe. He emphasized the critical role Customs can play in cross-border controls, the fillip it can provide to trade facilitation, the change it can bring by imbibing advances in information and communication technologies, the alacrity with which it needs to adapt to stay in tune with dynamics of changing world order, the performance metrics it needs to put in place for measuring actual progress. Thereafter, the meeting was officially opened by Mr. Najib Shah, Chairman of the CBEC.

UPDATE ON INTER-SESSIONAL ASEM ACTIVITIES

3. The meeting took note of the report given by Italy on the 10th ASEM Summit held in Milan in October 2014. Cambodia informed the outcome of the 8th ASEM Working Group meeting and the 5th ASEM Customs Trade Day held in Siem Reap in March 2014. The meeting also heard a report from Belgium on the 9th AWC meeting and the 6th ASEM Customs Trade Day, held in Liege, in June, 2015. The meeting took note of and endorsed these reports.

REPORTS ON ASEM CUSTOMS ACTIONS 2014-2015 BY ACTION COORDINATORS

Trade Facilitation Action Plan (TFAP)

4. Korea and EU-TAXUD presented the results of the survey conducted to check the implementation of the TFAP. It showed a comprehensive analysis of the implementation rate of the listed trade facilitation deliverables in the ASEM Member States. The action emerged as an effective tool to identify the good practices in support of trade facilitation. It was recommended to continue the action and define the deliverables more practically in the follow up survey. The meeting took note of the presentation and endorsed the recommendations.

Authorised Economic Operators

5. The meeting took note of the report by Japan and Poland on the AEO programme of Members. The results of the survey showed that ASEM Member States were developing and improving their AEO programmes. The benefits of the AEO programme were identified as fewer physical documentary controls and speedy cargo clearance. Also, accredited AEOs are ensured easier and faster access to further Customs simplifications and facilitation. However, increase in the number of AEOs remains the common challenge. It was recommended that members should continue to promote the AEO programme and increase the AEO base, particularly in SMEs. Members must also take measures to improve MRA implementation and make most use of experiences and good practices shared through this action. The meeting took note of the presentation and endorsed the recommendations.

Coordinated Border Management

6. Korea and the Netherlands informed the meeting about the action taken by them in regard to Coordinated Border Management (CBM). They spoke about the need to focus on the use of Single Window as a tool to strengthen CBM. The survey conducted by them helped to understand the status of National Single Windows and to identify the challenges for development of a global Single Window. The benefits included reduced average clearance time and increased transparency with lower costs. Major challenge comprised of financial and human resources. Inter-agency coordination was another challenge. Capacity building and legal support were required as the way forward. It was recommended to continue with the action. The proposed next step included mapping of the logistical processes related to the CBM including the flow of information and the functional movement of goods. The meeting took note of the presentation and endorsed the recommendations and follow up actions provided by them.

IT Tools In IPR Infringement

7. The meeting took note of the presentation by Germany and India on the IT tools used for IPR enforcement. The meeting was informed about the results of the survey. They reported that the overall objective 'combating infringement on IPR' required legal framework as well as operational capability to deal with it. It was recommended not to pursue the objective of exploring synergies between compatible IT tools and development of best practices regarding traceability devices and standards being premature. It was suggested to use the findings of the report as a self-assessment tool and also as update of part of the 2011 Best Practice Guide. The meeting took note of the presentation and endorsed the recommendations.

Product Safety

8. Presentation on product safety was made by Czech Republic and Cambodia. The action explores the role of Customs in the area of product safety controls and compliance alone or in association with market surveillance authorities. General mapping of customs control strategy and procedure is likely to be completed by the end of the year as action coordinators are awaiting some more responses to their questionnaire and a seminar/workshop is scheduled in 2016 to carry the work forward. As this is a work in progress, the meeting took note of the presentation and endorsed the recommendations.

Trans-Boundary Waste Shipments

9. China and Denmark informed the meeting about the work done in relation to trans-boundary waste shipments. The report underlined that Customs plays a key role in controlling trans-boundary shipments of waste. The main finding was that the Harmonized System needs a review to better distinguish new, used, second-hand, waste and scrap taking into account the various waste categorisation systems. It was also recommended to enhance cooperation between Customs and environmental authorities. The meeting took note of the presentation and endorsed the recommendations.

Involving Business

10. The meeting took note of the presentation by Singapore and Sweden, who had developed a workshop package for the action. Switzerland and Malaysia had volunteered to test the workshop package. Switzerland conducted a workshop with the catering industry on solving a problem which arose from a change in legislation. Malaysia organized the Customs – private sector consultative panel at both state and headquarters level. It was found that the package was useful for organising a dialogue with trade. The model used could be a starting point for ASEM members for starting a dialogue with their trade. It was recommended that engagement of trade should remain a

key enabler of the trade facilitation strategy of the Customs administrations. The meeting took note of the presentation and endorsed the recommendations.

Joint Customs Operation Replica

11. EU(OLAF) presented their work on JCO REPLICA that targeted the import of counterfeit goods posing a danger for the environment, health and safety of citizens. Deep-sea containers coming from Asian countries with goods like cigarettes, pesticides, toys etc. were targeted and seizures were made. The main challenge was the lack of pre-operation information from the ASEM members. It was recommended that the momentum should be continued by carrying out another similar JCO on other commodities as well. It was suggested that all ASEM members should be involved. The meeting took note of the presentation and endorsed the recommendations.

ASSESSMENT OF RECOMMENDATIONS AND CONCLUSION OF ACTIONS

12. The Chair summarized the assessment of the recommendations and conclusion of actions. It was agreed by all that the priority areas identified in Yokohama, Heraklion, Hua Hin and Vienna namely, trade facilitation and supply chain, combating counterfeiting, protecting society and environment, involving business and communication and visibility are still relevant and should be continued. Thereafter, the meeting agreed to continue the action plans:

- i. Trade Facilitation Action Plan
- ii. Authorised Economic Operators
- iii. Coordinated Border Management
- iv. Product Safety
- v. Joint Customs Operation

The meeting agreed to conclude the following actions:

- i. IT tools in IPR infringement
- ii. Trans-boundary waste shipments
- iii. Involving Business

ENHANCING THE VISIBILITY OF ASEM CUSTOMS ACTIVITIES

13. EU, Austria and Thailand made a presentation on enhancing the visibility of ASEM Customs activities. As a first step, the three members

proposed to conduct a simple survey to enhance the understanding of how the Customs Administrations of ASEM Member States view communication and social media. Concrete actions for increasing visibility were cited. The meeting took note of the presentation and endorsed the suggested direction for increased visibility.

DISCUSSION OF NEW PROPOSALS AND ACTION PLAN 2016-2017

14. Japan proposed an action plan on Passenger Name Records (PNR) with a view to promote experience of individual members' work on PNR, enhance knowledge sharing on international standards and best practices in the use of PNR data in countering serious transnational crimes including smuggling. Work on this Action Plan will yield valuable information to ASEM members on passenger selectivity and identify capacity building needs. EU responded that the DGs of Customs do not have legal authority on matters concerning PNR, which is handled by the Immigration authorities. Also, at present judgement of the European Court of Justice is awaited on the subject matter. Due to this legal uncertainty the EU has to be very cautious in taking any commitment. However, members from Asia showed considerable interest in the subject. After discussion, it was decided to adopt the proposed Action Plan with the coordinators for this action being Japan, Indonesia and Switzerland.

15. China and the EU proposed a new action plan for sharing of experience in implementation of Trade Facilitation Agreement (TFA). The main objective was to complement the WTO TFA implementation and awareness process. It also aimed to improve experience sharing by exchanging TFA implementation plans and to examine how the ASEM cooperation can contribute to the ongoing worldwide work for a better implementation of the TFA. It was agreed that the coordinators for this action would be China and Spain.

17. India proposed a new action plan on "Enabling Paperless Cargo Clearance Processes and Cross-border Sharing of Trade Data". It was mentioned that automated Customs clearance procedures are increasingly forming the base for international trade and the benefits of paperless trade are known since long. ASEM members can use the ASEM platform to share the implementation experience, and provide valuable guidance to Directors Generals/Commissioners of Customs to accelerate the entire process of implementation of paperless Customs. The new action plan proposes to gather and disseminate examples where sharing of data between authorities has become operational. The Netherlands, the United Kingdom, Belgium, Spain, Luxembourg and Bangladesh supported the proposal. Benelux agreed as a group of European countries to act as Action coordinators to partner with India.

18. The EU proposed to revisit and update the 2011 best practice guide on IPR enforcement and also conduct a study on the use of statistics in IPR enforcement. This would be an Action Plan with two parts namely:

- a. IPR best practices of Customs IPR enforcement, including cooperation with right holders, mutual assistance against counterfeit fraud, coordination with other agencies responsible for IPR enforcement and best use of existing control mechanisms and technology. It was agreed that the action coordinators for this sub-part would be Australia and Switzerland.
- b. Use of statistics in IPR enforcement and exchange of data on IPR matters between ASEM members in order to avoid misleading comparisons and interpretations on statistics exchange between ASEM members. It was agreed that the Action coordinators for this sub-part would be Russia and France.

19. Visibility of ASEM activities is a horizontal aspect and affects all areas in ASEM work. Visibility is essential for all activities and cuts across all areas of work. It was agreed to have this as an Action point with Austria, EU and Thailand as the coordinators.

20. It was, thus, agreed to have the following Actions for the Action Plan 2016-2017:

- i. Trade Facilitation Action Plan – coordinators EU and Korea
- ii. Authorised Economic Operators – coordinators Japan and Slovakia
- iii. Coordinated Border Management – coordinators Korea and the Netherlands
- iv. Product Safety - coordinators Cambodia and Czech Republic
- v. Joint Customs Operation – coordinators EU(OLAF)
- vi. Passenger Name Records - coordinators Japan, Indonesia and Switzerland
- vii. Trade Facilitation Agreement – coordinators China and Spain
- viii. Enabling Paperless Cargo Clearance Processes Within and Across Borders - coordinators Benelux and India
- ix. Combating Counterfeiting and Customs IPR enforcement
 - a) Update the 2011 Best Practice Guide on IPR enforcement - coordinators Australia and Switzerland
 - b) Conduct a Study on the use of Statistics in IPR enforcement – coordinators France and Russia
- x. Enhancing Visibility of ASEM activities- coordinators Austria, EU and Thailand

UPDATES ON LATEST DEVELOPMENTS BY MEMBERS

21. The Secretary General of the WCO, Mr. Kunio Mikuriya, made a statement on current matters. He informed about the success of the Revised Kyoto Convention (RKC) and stated that the WTO TFA implementation is a

priority item for the WCO. The WCO is planning to introduce Digital Customs as next year's theme that synchronizes very well with the ASEM action point of paperless customs. He further informed that the WCO closely follows the ASEM's agenda for action with a view to include it in WCO's priorities.

22. India made a presentation highlighting the major initiatives that are being taken in Customs in India. The presentation highlighted the future roadmap of Customs with particular focus on implementation of Single Window and Coordinated Border Management, including establishment of Customs Clearance Facilitation Committee.

23. The EU gave a presentation on EU Competency Framework for the Customs profession informing about the EU solution for ensuring high quality performance by customs staff by providing a training and development framework for harmonization of skills, raising standards in an adaptable way. The presentation on the Customs Blueprints provided an overview of this practical guidance for customs modernisation based on the EU experience.

24. Russia gave a presentation on developing common standards for exchange of results of customs control carried out with the use of scanner equipment.

FUTURE ASEM CUSTOMS MEETINGS

25. The meeting was informed that Brunei would host the 10thAWC meeting from 25 to 27 April 2016. The host for the 11th AWC meeting in 2017 was yet to be decided. The 12th ASEM Customs Directors General/Commissioners Meeting would be held from 16 to 17 October 2017 in Berlin, Germany.

APPROVAL OF CHAIRMAN'S SUMMARY AND 2016-2017 ACTION PLAN IN THE FORM OF THE "GOA DECLARATION"

26. The meeting adopted the Chairman's Summary of the 11th ASEM Customs Directors General/Commissioners meeting and the 2016-2017 Action Plan in the form of the "**Goa Declaration**".