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National
Trade Facilitation
Committees:
Beyond compliance
with the WTO Trade
Facilitation Agreement?



**NATIONAL TRADE FACILITATION COMMITTEES:
BEYOND COMPLIANCE WITH THE WTO TRADE FACILITATION AGREEMENT?**

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Abbreviations

| | |
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| ITC | International Trade Center |
| LDC | Least developed country |
| NTFC | National trade facilitation committee |
| NTTFC | National trade and transport facilitation committee |
| TFA | Trade Facilitation Agreement |
| UNCTAD | United Nations Conference on Trade and Development |
| UNCEFACT | United Nations Centre for Trade Facilitation and Electronic Business |
| UNECE | United Nations Economic Commission for Europe |
| UNESCAP | United Nations Economic and Social Commission for Asia and the Pacific |
| WCO | World Customs Organization |
| WTO | World Trade Organization |

Executive Summary

This study complements UNCTAD's recent research work on trade facilitation, especially *National Trade Facilitation Bodies in the World*, published in 2015, but also including *The New Frontier of Competitiveness in Developing Countries: Implementing Trade Facilitation*, published in 2013, *Trade Facilitation in Regional Trade Agreements*, published in 2011, and several technical notes issued since 2007, particularly the note on multi-agency working groups on trade facilitation, issued in 2011.

The added value of this study is the quantitative and qualitative analysis of existing National Trade Facilitation Committees following the entry into force of the WTO Trade Facilitation Agreement (TFA), in particular Article 23.2 of the TFA. The present study provides insights into the implementation and operation of National Trade Facilitation Committees (NTFC) and how countries are interpreting and applying Article 23.2 of the TFA. The study is based on information of 59 countries updated or added to the online repository of National Trade Facilitation Committees (<http://unctad.org/tfc>, maintained by UNCTAD in collaboration with the International Trade Centre and the United Nations Economic Commission for Europe), between January 2014 and May 2017. In addition to this, quantitative data on gender mainstreaming in National Trade Facilitation Committees is presented for the first time.

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While the notion of trade facilitation committees in a WTO agreement is a novelty; in reality, this kind of bodies have been existing for more than six decades.

Undoubtedly, the WTO Trade Facilitation Agreement has already had a great impact on National Trade Facilitation Committees (NTFCs) quantitatively and qualitatively. The signature of the Bali Ministerial Decision (WTO, 2013) at the WTO Bali Ministerial Conference of December 2013 ended the negotiations on the Trade Facilitation Agreement, meaning that establishing or maintaining a National Trade Facilitation Committee will become a binding obligation with the entry into force of the Agreement. Quantitatively, this Declaration resulted in an acceleration in the rate of establishment of NTFCs. This study shows that, for more than half of the Committees, the WTO Trade Facilitation Agreement was the main motivation for setting up this multi-stakeholder platform.

Qualitatively, the most frequently mentioned objective for NTFCs is to implement the WTO Trade Facilitation Agreement. Similarly, the present study suggests that the majority of National Trade Facilitation Committees have a scope of action mostly limited to issues related to the WTO Trade Facilitation Agreement. Moreover, several NTFCs have the tasks to address the first challenges of the implementation of WTO TFA provisions: monitoring technical assistance projects and programmes, search financing partnerships for reforms and relationship with donors and implementation agencies as well as the already mentioned special advice on legal changes.

This study shows that National Trade Facilitation Committees have identified several concrete outcomes of their work related to the WTO Trade Facilitation Agreement. Almost two-thirds of NTFCs declared that the Committee has helped them negotiate trade facilitation agreements, including the WTO TFA. Approximately one out of three Committees indicated that they have developed an implementation plan for the WTO Trade

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Facilitation Agreement and worked in the ratification and notifications of the Agreement. Moreover, the increase in the number of NTFCs, that are formally institutionalized, demonstrates that the entry into force of the WTO Trade Facilitation Agreement has had a direct influence on Member States.

Since the entry into force of the TFA, many National Trade Facilitation Committees have changed their focus from the negotiation to the implementation of the WTO Trade Facilitation Agreement. In this context, access to resources, proper planning, as well as an efficient institutional and operational set up are key.

Recommendations for National Trade Facilitation Committees

In 2015, UNCTAD published 10 Key Recommendations for National Trade Facilitation Committees. These are still relevant and appropriate.



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