



The (Uganda) National Committee on Trade Facilitation (NCTF): *Mandate and Areas of Work*

A Presentation by Emmanuel Mutahunga
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Layout

- Background
- The National Committee on Trade Facilitation:
 - Broader context of consultation on trade matters
 - Specific Tasks for the Committee
 - Structural placement
- Composition of the Committee



Background

- During the 9th WTO Ministerial Conference, the WTO Membership adopted the Agreement on Trade Facilitation (ATF) after close to 10 years of protracted negotiations
- The Agreement aims at clarifying and improving relevant aspects of Articles V, VIII and X of the GATT 1994 with a view to further expediting the movement, release and clearance of goods, including goods in transit



Background

- Trade Facilitation refers to “the simplification and harmonization of international trade procedures with trade procedures being the activities, practices and formalities involved in collecting, presenting communication and processing data required for the movement of goods in international trade.”



Background

- In the Agreement, WTO Members are obliged, *inter alia*, to:
 - Promptly publish, in a non-discriminatory and easily accessible manner, information on:
 - ❖ procedures for importation, exportation, and transit
 - ❖ applied rates of duties and taxes of any kind imposed on or in connection with importation or exportation
 - ❖ fees and charges imposed by or for governmental agencies on or in connection with importation, exportation or transit



Background

- ❖ rules for the classification or valuation of products for customs purposes
- ❖ laws, regulations, and administrative rulings of general application relating to rules of origin
- ❖ import, export or transit restrictions or prohibitions
- ❖ penalty provisions for breaches of import, export, or transit formalities
- ❖ procedures for appeal or review
- ❖ agreements or parts thereof with any country or countries relating to importation, exportation, or transit
- ❖ procedures relating to the administration of tariff quotas



Background

- issue an advance ruling in a reasonable, time-bound manner to the applicant that has submitted a written request containing all necessary information
- Provide that any person to whom customs issues an administrative decision has the right to an administrative appeal to or review by an administrative authority higher than or independent of the official or office that issued the decision; and/or a judicial appeal or review of the decision



Background

- Adopt or maintain procedures allowing for the submission of import documentation and other required information in order to begin processing prior to the arrival of goods with a view to expediting the release of goods upon arrival
- 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



Background

- WTO Members have a right to, *inter alia*:
 - Engage in bilateral, plurilateral or regional agreements, including governance of the exchange of customs information and data under such agreements
 - For Developing & LDCs, access Special and Differential provisions that allow such countries to determine when they will implement individual provisions of the Agreement; and to identify provisions that they will be able to implement upon the receipt of technical assistance and support for capacity building



Introduction

- For developing and LDCs, self designation, on an individual basis, of the provisions it is including under each of the Categories A, B and C
- The Agreement categorizes Trade Facilitation measures as either 'A', 'B' or 'C'
- Category A – measures that a developing country Member or an LDC Member designates for implementation upon entry into force of the Agreement, or in the case of an LDC Member within one year after entry into force of the Agreement



Introduction

- Category B - measures that a developing country Member or an LDC Member designates for implementation on a date after a transitional period of time following entry into force of the Agreement
- Category C – measures that a developing country Member or an LDC Member designates for implementation on a date after a transitional period of time following the entry into force of the Agreement **and** requiring the acquisition of implementation capacity through the provision of assistance and support for capacity building
- **Note – see Article 16 of the Agreement for definition of ‘transitional’ period**



Background

- The Agreement also contains Special and Differential Treatment provisions aimed at assisting LDCs such as Uganda to benefit from technical assistance with a view to enabling them fully implement and benefit from the ATF
- To facilitate implementation of the ATF, WTO Members are obliged to set up and/or maintain a National Committee on Trade Facilitation or designate an existing mechanism to facilitate both domestic coordination and implementation of the provisions of the Agreement



Background

- Worth noting - Uganda is a member of the EAC, COMESA, and has concluded trade agreements under the Tripartite Free Trade Area encompassing members of the EAC, COMESA and SADC; and the EPA with the European Union
- All these Agreements have trade facilitation provisions; and create both rights and obligations for Uganda



The National Committee on Trade Facilitation

- In view of the implementation modalities as envisaged in the Agreement, Government through Ministry of Trade, Industry & Cooperatives (MTIC) has designated the Inter-Institutional Trade Committee (IITC) as the mechanism to facilitate both domestic coordination and implementation of the provisions of the WTO Agreement on Trade Facilitation; as well as other TF provisions



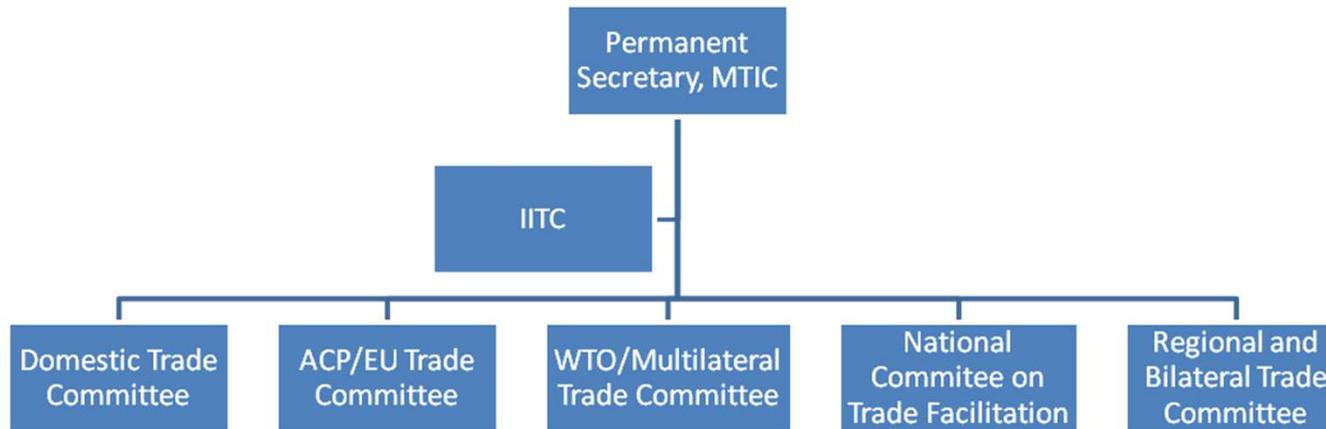
The National Committee on Trade Facilitation

- IITC is set up by the National Trade Policy as the consultative mechanism between the public and private sectors on trade policy formulation and implementation
- Draws its membership from the public sector and private sector – including civil society and academia
- Operates through both the plenary and the Sub-Committees dealing with various but related subject areas



The National Committee on Trade Facilitation

- The Permanent Secretary of the Ministry responsible for Trade chairs the IITC, while the Committees are chaired by the Heads of the respective Departments and/or Divisions
- The National Committee on Trade Facilitation is one of the Committees of the IITC; the others being Domestic Trade, Regional and Bilateral Trade, World Trade Organization; and African, Caribbean and Pacific-European Union (ACP/EU) Trade Relations





Specific Tasks for the National Committee on Trade Facilitation/Areas of Work

- Coordinating the implementation of all trade facilitation measures in the country, and within economic integration blocs where Uganda is a Member/Partner
- Assessing compliance with the various trade facilitation provisions by our trading partners and recommending appropriate follow up as per the respective Agreements



Specific Tasks for the National Committee on Trade Facilitation/Areas of Work

- Designing and spearheading implementation of Technical Assistance and Capacity Building initiatives in the area of Trade Facilitation
- Undertaking Monitoring and Evaluation of implementation of Trade Facilitation provisions in the country
- Ensuring synergies between Trade Facilitation {negotiation and implementation thereof} and other subject areas under negotiations



Specific Tasks for the National Committee on Trade Facilitation/Areas of Work

- Liaising with other international or regional organizations that deal with Trade Facilitation
- Working with institutions or bodies set up to deal with Trade Facilitation in various trade agreements that Uganda is a party to
- Undertaking any other functions in the context of further expediting the movement, release and clearance of goods, including goods in transit with a focus on both imports and exports



Composition of the Committee

- Government Ministries, Departments and Agencies
- Private sector
- Civil society
- Academia



Conclusion

- Uganda was very active in the negotiations because we believe that TF is a driver for development
- For TF to drive development, it must be looked at in a broader context, and in relation to other trade and development issues
- TF must not only focus on expediting the movement, release and clearance of goods, including goods in transit, from the import side for LDCs such as Uganda; it must also look at how 'trade-facilitated' our exports are

The end

THANK YOU