

# The World Trade Organization Trade Facilitation Agreement



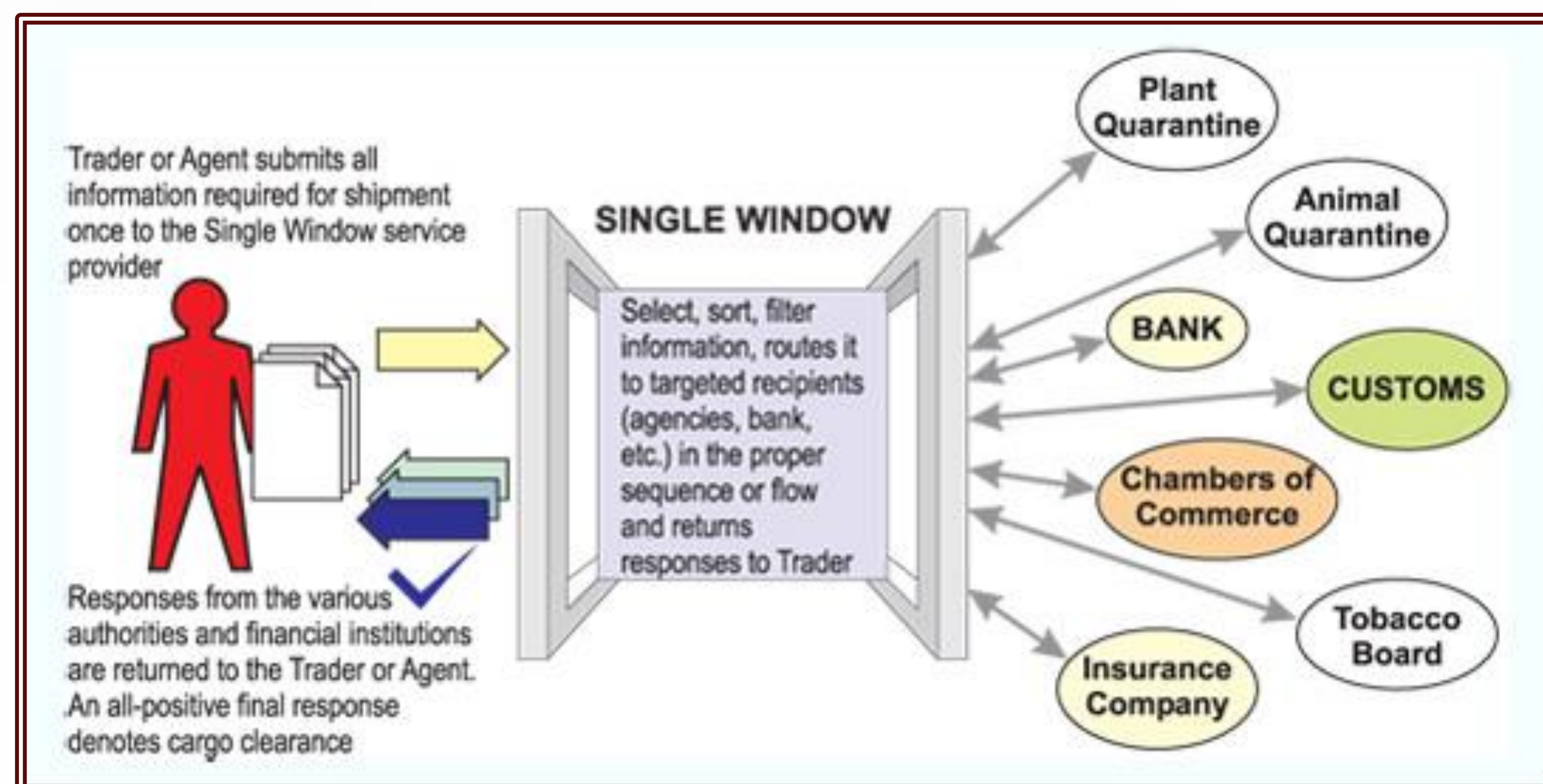
The first round of negotiations under the newly formed World Trade Organization (WTO) began in 2001 and is known as the Doha Development Round because it began with a ministerial declaration in Doha, Qatar. The Doha Round has struggled through many significant challenges but ultimately focused on reducing bureaucratic barriers to trade as a priority and core objective. To date, the only agreement resulting from these negotiations is the Trade Facilitation Agreement (TFA) which was strongly supported by the United States and came into force for all WTO Member countries in February 2017. The TFA has no explicit provisions for agriculture and would seem to be innocuous from a phytosanitary perspective except for one important feature: the “single window system”. The single window concept described in the TFA is very similar to President Obama’s 2014 Executive Order 13659 entitled “Streamlining the Export-Import Processes for America’s Businesses”. The EO and the TFA share the objective of streamlining the relationship between Customs and other border authorities to expedite the movement, release, and clearance of goods in commerce.

## Why is TFA important?

- **Customs is responsible for border operations**
- **Border clearance agencies collaborate with Customs**
- **Customs operates the Single Window System**
- **The Single Window System aims for fully digital clearance processes**

## The Single Window

Historically, parties involved in trade and transport have had to contend with multiple government agencies, often in multiple locations and with duplicative paperwork requirements, to obtain the necessary clearances to complete their import or export processes. The single window allows traders to lodge standardized information and documents in a digital format with a single entry point to fulfill all import, export, and transit-related regulatory requirements.



## Key provisions of the TFA:

### Article 7: Release and Clearance

- Submit import documentation in advance
- Electronic format and processing
- Adopt risk-based systems
- Concentrate on high-risk consignments

### Article 8: Border Agency Cooperation

- Authorities and agencies responsible for border controls must cooperate/coordinate
- Alignment of working days/hours
- Alignment of procedures
- Common facilities
- Joint controls
- One-stop border control

### Article 10: Single window

- Single entry point for import/export documentation
- No duplication requirements
- Details must be notified
- Use “information technology”

### Article 12: Customs Cooperation

Customs is responsible for:

- Transparency
- Confidentiality
- Reducing costs and administrative burden
- System security

Customs responsibilities under TFA do not apply to bilateral and regional agreements

## Links to Risk-based Sampling

- Art 7.1.1: “...shall adopt or maintain procedures... expediting the release of goods...”
- Art 7.4.3: “...shall...expedite the release of low risk shipments ... select, on a random basis, consignments for such controls as part of its risk management.”
- Art 7.5.2: “...post-clearance audit in a risk-based manner...”
- Art 7.4.4: “...shall...use information technology to support the single window.”