

## INTRODUCING THE OECD TRADE FACILITATION INDICATORS

The TFIs are composed of a set of variables measuring the actual extent to which countries have introduced and implemented trade facilitation measures in absolute terms, but also their performance relative to others. The TFIs take values from 0 to 2, where 2 designates the best performance that can be achieved.

The TFIs mirror the substantive provisions of the TFA.<sup>1</sup> The families of measures covered in the WTO TFA have been re-organised, in order to take into account similarities between measures, underlying shared components, as well as areas where further distinctions were warranted. An additional OECD indicator going beyond the scope of the TFA was added to capture elements of good governance and impartiality of border administrations (Table 1).

**Table 1. Overall structure of the OECD Trade Facilitation Indicators**

Indicator	Description
(a) Information availability	Enquiry points; publication of trade information, including on Internet
(b) Involvement of the Trade Community (Consultations)	Structures for consultations; established guidelines for consultations; publications of drafts; existence of notice-and-comment frameworks
(c) Advance rulings	Prior statements by the administration to requesting traders concerning the classification, origin, valuation method, etc., applied to specific goods at the time of importation; the rules and process applied to such statements
(d) Appeal procedures	The possibility and modalities to appeal administrative decisions by border agencies
(e) Fees and charges	Disciplines on the fees and charges imposed on imports and exports; disciplines on penalties
(f) Formalities – documents	Acceptance of copies, simplification of trade documents; harmonisation in accordance with international standards
(g) Formalities – automation	Electronic exchange of data; use of automated risk management; automated border procedures; electronic payments
(h) Formalities – procedures	Streamlining of border controls; single submission points for all required documentation (single windows); post-clearance audits; authorised operators
(i) Internal co-operation	Control delegation to Customs authorities; co-operation between various border agencies of the country
(j) External co-operation	Co-operation with neighbouring and third countries
(k) Governance and impartiality	Customs structures and functions; accountability; ethics policy

*Note:* The area of governance and impartiality (indicator (k)) is outside the remit of the TFA.

<sup>1</sup> The core of the TFA is a package of substantial trade facilitation provisions (Section I, Articles 1 to 12) covering measures for expediting the movement, release and clearance of goods, including goods in transit. The Agreement also covers provisions on transparency, administrative simplification, use of information technology for processing and data exchange, as well as provisions on co-operation between customs and other appropriate authorities on trade facilitation and customs compliance issues.

The TFIs are tools, not rules: they are not designed to assess country compliance with specific TFA provisions, but rather to help policy makers in developed and developing countries alike to assess the state of their trade facilitation efforts, pinpoint challenges, and identify opportunities for progress.

Each TFI indicator is composed of several specific, precise and fact-based variables related to existing trade-related policies and regulations and their implementation in practice. The TFI scoring follows a multiple binary scheme where the top score (2) corresponds to the best performance. The variables in the TFI dataset are coded with 0, 1, or 2. These seek to reflect not only the regulatory framework in the concerned countries, but delve, to the extent possible, into the state of implementation of various trade facilitation measures. Where variables depend on numerical answers, these are broken down on thresholds to which 0/1/2 scores are applied. A scoring system that assigns discrete numerical values according to some metric of performance requires determining thresholds for what is best, worst or in between. In the cases where no natural thresholds can be identified, if the variable is numerical in nature, the score can be determined by deviation from the sample mean or by its percentile rank.

There are no hierarchies between variables. Within one indicator, variables are given equal weights.

### ***Data collection***

The TFI database covers 163 countries, including economies at all income levels – 28 low income countries (LICs), 42 lower middle income countries (LMICs), 40 upper middle income countries (UMICs), 19 high-income economies outside the OECD area (HICs non-OECD) and 34 OECD countries – as well as all geographic regions (namely, Asia-Pacific, Europe and Central Asia, Latin America and the Caribbean, Middle East and North Africa and Sub-Saharan Africa).

The TFIs are based on a detailed questionnaire, with the aim of ensuring factual information that is geographically comparable and consistent over time (the questionnaire is in the Annex). Data is collected from three types of sources: a) publicly available information included in the websites of Customs and other relevant border agencies, official publications such as Customs Codes, annual reports, or public databases;<sup>2</sup> b) direct submissions from countries; and c) factual information from the private sector – in particular express industry associations<sup>3</sup> and companies operating worldwide (Figure 1). Discrepancies are verified by the OECD, and completed country datasheets are sent to capitals for validation.<sup>4</sup>

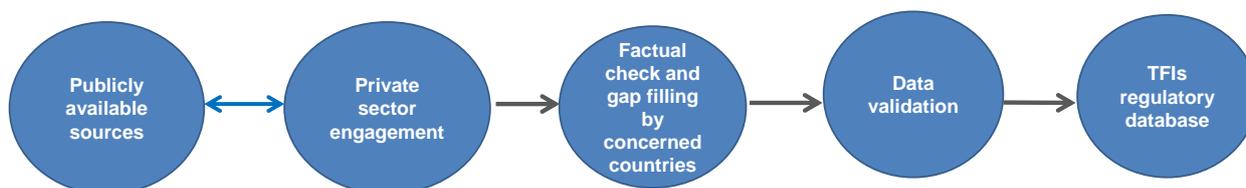
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<sup>2</sup> These include other international databases, repositories and reports such as: United Nations Regional Economic Commissions (UNRCs) released results of the latest Global Survey on Trade Facilitation and Paperless Trade; the World Bank Logistics Performance Index; the World Bank Doing Business Trading Across Borders data; World Economic Forum (WEF) Global Competitiveness Report (GCR); WTO Trade Policy Reviews.

<sup>3</sup> The Global Express Association (GEA) has developed questionnaires in an attempt to compile reports on market access and customs barriers in a large set of developed and developing countries. The objectives of the survey, among others, are to identify national laws and policies that make it difficult for express delivery companies and other transport companies to serve a particular country in an efficient manner as well as to identify capacity building needs in the country's customs administration. The GEA survey questions (within the Customs Capabilities Report) cover three key areas: transparency, customs efficiency and post-release processes.

<sup>4</sup> Country datasheets are sent for validation with the assistance of WTO Permanent Delegations in Geneva, the World Customs Organisation (WCO) and the ASEAN Secretariat for economies outside the OECD membership.

**Figure 1. TFIs data collection process**



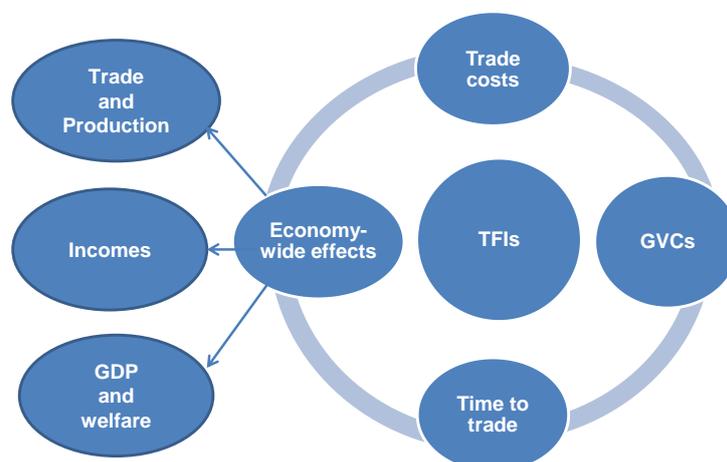
The process aims to ensure accuracy and to combine applicable regulation with a practitioner's account on how things work on the ground, while keeping the resource requirements manageable.

### *Using the TFIs*

The TFIs dataset allows for comparisons by income group, geographical group and among regional grouping members; for examination of the state of play by individual trade facilitation measure; and for assessment of the evolution of performance over time.

The TFIs can also be used as an evaluation tool to assess the economic impact of trade facilitation reforms and in particular of implementation of the TFA<sup>5</sup> (Figure 2). These analyses can range from quantitative analysis in order to disentangle the channels through which trade facilitation reform can benefit the global economy, as well as national economies, to estimates of the impact of specific reforms on the demand and the supply sides of GVC activity. Testing the TFIs against various economic variables also enables estimation of the impact at the macro level of specific reforms to the trade procedures of given countries, as well as providing an indication of the net benefits of specific reforms at the micro level.

**Figure 2. TFIs as an evaluation tool**



<sup>5</sup> Calculation of the potential impact of the TFA is based on two scenarios: a) “full” implementation, where countries implement all the options contained in the Agreement, including those formulated on a “best endeavours” basis; and b) “limited” implementation, where countries implement only the mandatory provisions, but taking into account that some of the best endeavours measures have already been implemented by some countries. These two scenarios provide upper and lower bounds of potential trade cost reductions likely to be obtained by implementing the TFA.

## Annex : Trade Facilitation Indicators Questionnaire

Q ID	INFORMATION AVAILABILITY
<b>Q1.</b>	<p><b>Is there a clearly identified Customs' website on the Internet?*</b></p> <p>(0) There is no clearly identified Customs' website on the Internet.            (1) Yes, there is an official website.            (2) The website makes available a minimal set of information related to import or export procedures** in one of the official WTO languages***.</p> <p><i>* A national Customs website can be part of a wider website like the Ministry of Trade and Finance website.            ** An official Customs website should at least cover the description of import, export and transit procedures, and electronic links to the forms and documents required. (Art.2.1)            *** Whenever practicable, the description ... shall also be made available in one of the official languages of the WTO (Art.2.2). The official WTO languages are English (EN), Spanish (ES) and French (FR).</i></p>
<b>Q2.</b>	<p><b>Is there the possibility to provide online feedback to Customs?</b></p> <p>(0) There is no possibility to provide feedback*.            (1) There is a possibility by telephone or human contact only.            (2) There are online means (email, forms) to provide feedback.</p> <p><i>* This refers to the possibility for users to provide feedback on the organization of the website: user-friendliness of the website, availability of information, explanation on new systems.</i></p>
<b>Q3.</b>	<p><b>Is the applicable rate of duties published*?</b></p> <p>(0) It is not possible to find the applicable rate of duties on the Customs website.            (1) There is information (or an electronic link) on the applicable rate of duties.            (2) Information is kept up to date.</p> <p><i>* Art.1.1.b.</i></p>
<b>Q4.</b>	<p><b>Are there Enquiry Points to answer reasonable enquiries*?</b></p> <p>(0) There are no Enquiry points to answer reasonable enquiries**.            (2) There are one or more enquiry points to answer reasonable enquiries.</p> <p><i>* Art. 1.3.            ** Enquiries of traders may refer to issues such as: importation, exportation and transit procedures, applicable rate of duties, rules for classification or valuation, fees and taxes, laws, regulations and rulings on origin, restrictions or prohibitions, penalty provisions, appeal procedures, agreements with third countries and tariff quotas related provisions.</i></p>
<b>Q5.</b>	<p><b>Adjustment of enquiry points' operating hours to commercial needs</b></p> <p>(0) Enquiry points' operating hours are not adapted to commercial needs (telephone centres operating less than the normal working hours / no possibility to submit enquiries online).            (2) Enquiry points offer a full time hotline (7/24).Enquiries may be submitted 7/24 and an answer will be provided within 24 hours on working days.</p> <p><i>Art.1.3            The enquiry points shall answer enquiries and provide the forms and documents within a reasonable time period set by each Member, which may vary depending on the nature or complexity of the request.</i></p>
<b>Q6.</b>	<p><b>Timeliness of enquiry points</b></p> <p>(0) The administration's service charter does not indicate a standard time of response for the various means of enquiry (telephone, email or written correspondence), taking into account the nature or complexity of the enquiry.</p>

(2) The administration's service charter indicates a standard time of response for the various means of enquiry (telephone, email or written correspondence), taking into account the nature or complexity of the enquiry.

**Q7. Is information on import and export procedures published\*?**

(0) Import and export procedures are not described and the required forms and documents are not made available in a way as to allow undertaking the basic steps of the procedures.

(1) Import and export procedures are described and the required forms and documents are made available in a way as to allow undertaking the basic steps of the procedures.

(2) There are summary guides and/or specific highlights on these topics.

\* **Art.1.1.a.** This question does not specify a standardized minimum level of information, because this varies across the regulations of each country which are more or less burdensome and the friendliness of each customs website.

**Q8. Is the required documentation easily accessible for downloading?**

(0) No documents and forms required for the procedures of border agencies are available online.

(1) Some but not all documents and forms required for those procedures are available online.

(2) All required forms and documents required for the procedures of border agencies are available online.

**Q9a. Is information about procedures published in advance of entry into force\*?**

(0) There is no interval between the publication of new or amended trade related laws and regulations, and their entry into force.

(1) There is only an interval for selected new or amended trade related laws and regulations.

(2) There is an interval between the publication of new or amended trade related laws and regulations, and their entry into force.\*\*

\* *Each Member shall ... ensure that new or amended laws and regulations ... are published, or information on them made otherwise publicly available, as early as possible before their entry into force, in order to enable traders and other interested parties to become acquainted with them (Art.2.1.2).*

\*\* Without prejudice to minor changes or to exceptions for measures that have a relieving effect, measures whose effectiveness would be undermined by the pre-publication, and measures applied in urgent circumstances.

**Q9b.** If the answer to **Q8.a** is (2), please specify the average time\*\*\* between publication and entry into force:

\*\*\* The average time is the interval generally applied in the country, whether on the basis of applicable rules, such as an Information Act, or on the basis of practice.

**Q10. Are agreements with third countries relating to the above issues published\*?**

(0) There is no information on the official Customs website about international agreements relating to importation, exportation or transit.

(1) Such agreements are available on the official Customs website\*\*.

(2) Agreements are available together with topic-specific annotations\*\*\*.

\* **Art.1.1.i.**

\*\* At least an electronic link exists.

\*\*\* The most relevant parts of the agreements (related to export, import or transit matters) are explained and highlighted.

**Q11. Is there information on appeal procedures available through the Internet\*?**

(0) No information on appeal procedures is provided online.

(1) Information on appeal procedures is displayed online.

(2) Information is displayed and guidance on how to undertake these procedures is included or information is always given on an individual basis.

\* *Each Member shall make available ... through the Internet a description of its ... procedures, including appeal procedures, that informs governments, traders and other interested parties of the practical steps needed ... (Art.1.2.a).*

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**Q12. Are decisions and examples of Customs classification published?**

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- (0) Decisions and examples of Customs classification are not published.
- (1) Decisions and examples of Customs classification are publicly available.
- (2) Decisions and examples of Customs classification are displayed on the Customs website.

**Q13. Is information on advance rulings\* published?**

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- (0) Information is not published or it is only available in the relevant legislation (Customs Code).
- (1) There is a specific page on the Customs website dealing with Advance Ruling procedures.
- (2) There is a specific page and an online request procedures is available (e.g. forms sent by email).

*\* An advance ruling is a written decision provided by a Member to an applicant prior to the importation of a good covered by the application that sets forth the treatment that the Member shall provide to the good at the time of importation with regard to the good's tariff classification, and the origin of the good. (Art.3.9) In addition it could cover valuation methods and their application, duty drawback, or quotas. Following this definition, Binding Tariff Information (BTI) is regarded as an advance ruling mechanism. **Information** in the sense of this variable includes at a minimum a) the requirements for the application for an advance ruling, including the information to be provided and the format; b) the time period by which it will issue an advance ruling; and c) the length of time for which the advance ruling is valid. (Art.3.6)*

**Q14. Are penalty provisions for breaches of import and export formalities published\*?**

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- (0) There is no information on penalty procedures and the amount of penalties\*\*.
- (1) There is no information available on the Customs website, but it is available in the relevant legislation (Customs Code).
- (2) Information is displayed on a dedicated page in the Customs website.

\* Art.1.1.g.

\*\* Including in the relevant legislation.

**Q15. Is applicable legislation published on Internet?**

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- (0) There is no information on the Customs website (no electronic links).
- (1) Traders can find the relevant legislation on the Customs website\*.
- (2) There are quick references among the different pages of the website or user friendly guidance on key issues.

\* Through electronic links or a specific webpage.

**Q16. Are judicial decisions on Customs matters published?**

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- (0) No judicial decisions on Customs matters are published.
- (2) Judicial decisions on Customs matters are published on the Customs website (or electronic link).

**Q17. Is there a dedicated interactive page for professional users/companies\*?**

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- (0) There is no dedicated interactive page for professional users/companies.
- (2) There is a dedicated page for companies or a "pro" version of the website.

\* A dedicated interactive page for professional users/companies provides specific information and tools for electronic interfaces and downloadable forms. It is more than a simple (or quick) distinction between companies and private individuals.

**Q18. Are there user manuals available online?**

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- (0) There are no manuals online to help users when a new system is implemented.
  - (2) User manuals are available online.
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**INVOLVEMENT OF THE TRADE COMMUNITY (CONSULTATIONS)**

**Q19. Are there public consultations between traders and other interested parties and government?**

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- (0) There are no public consultations between traders and other interested parties and governments.
- (1) There are specific public consultations when introducing or amending trade related laws, regulations and administrative rulings of general application.
- (2) There are one or more structures for regular public consultations.

*\* Each Member shall, to the extent practicable and in a manner consistent with its domestic law and legal system, provide opportunities and an appropriate time period to traders and other interested parties to comment on the proposed introduction or amendment of laws and regulations of general application related to the movement, release and clearance of goods, including goods in transit. (Art.2.1.1)*

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**Q20. Are there general notice-and-comment framework procedures in place, applicable to trade and border issues?\***

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- (0) There are no notice-and-comment procedures in place.
- (1) There are notice-and-comment procedures but they do not apply to trade and border issues and regulation.
- (2) Notice-and-comment procedures apply to trade and border issues and regulation.

\* The score to this variable is (0) if variable Q10 scores (0).

**Q21. Are there established guidelines and procedures in place, governing the public consultation process?\***

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- (0) There are no established guidelines and procedures in place, consultation take place at random.
- (2) There are established guidelines and procedures to ensure a systematic handling of consultation structures and opportunities.

\* The score to this variable is (0) if variable Q10 scores (0).

**Q22. Who are the targeted stakeholders\*?**

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- (0) There are less than 2 stakeholder groups\*\* involved.
- (1) There are at least 3 stakeholder groups involved.
- (2) There are 4 or more stakeholder groups involved.

\* This variable refers to the scope of the public consultations launched by the authorities on Customs and border related matters.

\*\* The stakeholder groups are: Small and Medium Enterprises (SMEs), Large traders, Transporters, Customs brokers, Citizens.

**Q23. What is the average number of public consultations\* ?**

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Please provide the number of public consultations (during the three previous years) :

\* Average number of public consultations, including both regular and specific consultations, open to all parties, taking place per year.

**Q24. Are drafts published prior to entry into force\*?**

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- (0) Drafts\*\* are not published before the entry into force of a rule.
- (1) Drafts are available before entry into force of a rule and stakeholder comments are possible.
- (2) The trading community is involved at the stage of drafting new trade related legislation.

*\*Each Member shall, to the extent practicable and in a manner consistent with its domestic law and legal system, ensure that new or amended laws and regulations of general application related to the movement, release and clearance of goods, including goods in transit are published or information on them made otherwise publicly available, as early as possible before their entry into force, in order to enable traders and other interested parties to become acquainted with them.(Art.2.1.2)*

\*\*Drafts (or summaries) of trade related laws, regulations or administrative rulings of general application.

**Q25. Are public comments taken into account?**

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- (0) Public comments are not taken into account.
- (1) Public comments are taken into account.
- (2) The administration explains how public comments have been dealt with online or in the legislation's final draft.

**ADVANCE RULINGS**

**Q26. Does the country issue binding advance rulings?**

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- (0) Binding advance rulings are not issued.

(2) Binding advance rulings are issued.

*\* An advance ruling is a written decision provided by a Member to an applicant prior to the importation of a good covered by the application that sets forth the treatment that the Member shall provide to the good at the time of importation with regard to the good's tariff classification, and the origin of the good. (Art.3.9)* In addition it could cover valuation methods and their application, duty drawback, or quotas. Following this definition, Binding Tariff Information (BTI) is regarded as an advance ruling mechanism.

*An advance ruling issued by a Member shall be binding on that Member in respect of the applicant that sought it. (Art.3.5)*

**Q27. What is the annual number of advance ruling requests on tariff classification?**

Please provide the average number of advance ruling requests per year on tariff classification:

**Q28. What is the annual number of advance ruling requests on origin?**

Please provide the average number of advance ruling requests per year on origin:

**Q29. What is the total annual number of advance ruling requests?**

Please provide the average total number of advance ruling requests per year:

**Q30. What is the length of time for which the advance ruling is valid (duration)\*?**

Please provide the length of time for which the advance ruling is valid:

*\* The advance ruling shall be valid for a reasonable period of time after its issuance unless the law, facts or circumstances supporting the original advance ruling have changed. (Art.3.3)*

The validity of the ruling may vary according to the policy area. The variable focuses on tariff classification.

**Q31a. Is the maximum time by which the advance ruling will be issued published\*?**

(0) The maximum time by which the ruling will be issued is not published on the Customs website or in the related legislation.

(2) The maximum time by which the ruling will be issued is published on the Customs website or in the related legislation.

**Q31b. If your answer to Q31a is (2), please provide the maximum issuance time as published :**

*\* Each Member shall publish, at a minimum, the time period by which it will issue and advance ruling (Art.3.6.b).*

**Q32. What is the percentage of advance rulings issued within the maximum issuance time provided for in Q31?**

Please provide the percentage of advance rulings issued within the maximum issuance time:

**Q33. Is information on advance rulings of significant general interest published\*?**

(0) Information on advance rulings of significant interest to other interested parties (governments, traders...) is not published.

(2) Information on advance rulings of significant interest to other interested parties is made publicly available.

*\* Each Member shall endeavour to make publicly available any information on advance rulings which it considers to be of significant interest to other interested parties, taking into account the need to protect commercially confidential information (Art.3.8).*

**Q34. Is it possible to request a review of an advance ruling or its revocation / modification?**

(0) It is not possible to request a review of an advance ruling or its revocation / modification.

(2) It is possible to request a review of an advance ruling or its revocation / modification.

*\* Each Member shall provide, upon written request of an applicant, a review of the advance ruling or the decision to revoke, modify or invalidate the advance ruling. (Art.3.7)*

**Q35. Is the refusal to issue or the revocation of advance rulings motivated\*?**

(0) The refusal to issue or the revocation of advance rulings are not motivated.

(2) The refusal to issue or the revocation of advance rulings are motivated.

*\* Where the Member revokes, modifies or invalidates the advance ruling, it shall provide written notice to the applicant setting out the relevant facts and the basis for its decision. (Art.3.4)*

## APPEAL PROCEDURES

### Q36. Is information on procedural rules for appeal\* publicly available?

(0) There is no appeal mechanism for Customs matters or the related laws are not publicly available.

(2) There is an appeal mechanism and it is explained in the customs Code.

*\*Art.1.1.h This variable is different from Q11 within the Information Availability area, which focuses on information available online.*

### Q37. Are independent or higher level administrative and/or judicial appeal procedures available for customs decisions\*?

(0) There is no possibility of independent or higher level administrative, or judicial appeal of customs decisions.

(1) There is the possibility of an independent or higher level administrative appeal of customs decisions and established policies/procedures for the processing of appeals.

(2) There is in addition a possibility of a judicial appeal following, or independent of, the administrative appeal of customs decisions.

*\* Each Member shall provide that any person to whom customs issues an administrative decision has the right, within its territory to administrative appeal to or review by an administrative authority higher than or independent of the official or office that issued the decision; and/or judicial appeal or review of the decision. (Art.4.1.1)*

### Q38. Timeliness of the appeal mechanism –time available for lodging and appeal?

(0) Time limits fixed for contesting a decision of border agencies do not provide sufficient time to study the contested decision and prepare the appeal.

(2) Time limits fixed for contesting a decision of border agencies provide adequate time to study the contested decision and prepare the appeal.

*\* Each Member shall ensure that, in a case where the decision on appeal or review ... is not given ... (a) within set periods as specified in its laws and regulations ... the petitioner has the right to either further appeal to or further review by the administrative authority or the judicial authority or any other recourse to the judicial authority. (Art.4.4)*

### Q39. Timeliness of the appeal mechanism – avoidance of undue delays?

(0) There are no set periods specified in the laws and regulations for providing a decision on appeal or review.

(1) There are set periods specified in the laws and regulations for providing a decision on appeal or review.

(2) There are set periods specified and the petitioner can further appeal of the decision is not given within that set period or without undue delay; or the administrative silence is recognized as a decision in favour of the petitioner.

*\* Each Member shall ensure that, in a case where the decision on appeal or review ... is not given either (a) within set periods as specified in its laws and regulations; or (b) without undue delay, the petitioner has the right to either further appeal to or further review by the administrative authority or the judicial authority or any other recourse to the judicial authority. Nothing in this paragraph shall prevent a Member from recognizing administrative silence on appeal or review as a decision in favour of the petitioner in accordance with its laws and regulations (Art.4.4)*

### Q40. Is information available on the motives of the administration's decisions\*?

(0) There is no information on the motives.

(2) Information about the motives of the administration's decision is provided.

*\* Each Member shall ensure that the person ... is provided with the reasons for the administrative decision so as to enable such a person to have recourse to appeal or review procedures where necessary (Art.4.1.5).*

### Q41a. What is the average percent of appeals introduced by Customs or other border agencies that is resolved in favour of traders?

Please provide the percentage of appeals introduced by Customs or other border agencies that is resolved in favour of traders (over the last 3 years):

### Q41b. What is the average per cent of appeals introduced by traders that is resolved in favour of Customs or other border agencies?

Please provide the percentage appeals introduced by traders that is resolved in favour of Customs or other border agencies (over the last three years):

### Q41c. What is the average number of administrative appeals per year?

Please provide the average yearly number of administrative appeals (over the last 3 years):

**Q41d. What is the average number of judicial appeals per year?**

Please provide the average yearly number of judicial appeals (over the last 3 years) if available:

**Q42a. Is there a time limit for deciding judicial appeals?**

(0) There is no time limit for deciding judicial appeals.

(2) There is a time limit for deciding judicial appeals.

**Q42b. If the answer to Q40.a. is (2), please specify the time limit:**

### FEES AND CHARGES

**Q43. Is information on fees and charges imposed by governmental agencies on, or in connection with, importation, exportation or transit,\* published?**

(0) Information on fees and charges is not published\*\*.

(1) Information is available in paper publications (Gazette, Bulletin, Customs Code).

(2) Information is displayed on relevant agencies' website (on a dedicated page).

\* This variable refers to *all fees and charges other than import and export duties and other than taxes within the purview of Article III of GATT 1994 imposed by Members on or in connection with importation or exportation of goods. (Art.6.1.1).*

\*\* This information shall include the fees and charges that will be applied, the reason for such fees and charges, the responsible authority and when and how payment is to be made. (Art.6.1.2)

**Q44. How are fees and charges calculated\*?**

(0) Fees and charges are calculated on an ad-valorem basis.\*

(1) Some fees and charges are calculated on an ad-valorem basis.\*

(2) Fees and charges are not calculated on an ad-valorem basis or are limited in amount to the approximate cost of the services rendered on or in connection with the specific import or export operation.

\* However, the score is (2) if the fees and charges are less than the approximate cost of the service rendered.

*Fees and charges for customs processing shall be limited in amount to the approximate cost of the services rendered on or in connection with the specific import or export operation in question (Art.6.2.1.i)*

**Q45. What is the total amount of fees collected (value in USD) ?**

Please provide the total amount of fees and charges collected by customs and other governmental agencies in one civil year for importation/exportation :

Please provide the total amount of fees and charges collected by customs and other governmental agencies in one civil year for transit:

**Q46. Is the information on fees and charges all-inclusive?**

(0) No information about fees and charges is available, on paper or online.

(1) Available information does not account for all applicable fees and charges or does not include all information required in Art. 6.1.2\*.

(2) All applicable fees or charges have been accounted for when providing information and it includes the fees and charges that will be applied, the reason for such fees and charges, the responsible authority and when and how payment is to be made.

\* Information on fees and charges (...) shall include the fees and charges that will be applied, the reason for such fees and charges, the responsible authority and when and how payment is to be made (Art.6.1.2).

**Q47. What is the total number of fees collected (number - diversity)?**

**Q47a.** Please specify the number of (different categories of) fees and charges collected by all entities involved in the border process:

**Q47b.** Please specify the collecting entities and the type of fees (Veterinary inspections, inspections outside normal working hours, etc.):

**Q48. Fees for answering enquiries and providing required forms and documents**

(0) There are fees requested for answering enquiries and/or providing required forms and documents.

(1) If any, these are limited to the approximate cost of services rendered.

(2) There are no fees requested for answering enquiries and/or providing required forms and documents.

**Art.1.3.3** *Members are encouraged not to require the payment of a fee for answering enquiries and providing required forms and documents. If any, Members shall limit the amount of their fees and charges to the approximate cost of services rendered.*

**Q49. Are fees and charges periodically reviewed to ensure they are still appropriate and relevant?**

(0) There is no periodic review of fees and charges.

(1) Fees and charges are reviewed periodically.

(2) Fees and charges are reviewed periodically and adapted to changed circumstances.

**Art.6.1.4** *Each Member shall periodically review its fees and charges with a view to reducing their number and diversity, where practicable.*

**Q50. Is there an adequate time period granted between the publication of new or amended fees and charges and their entry into force?**

(0) Fees and charges may be applied even without being published or prior to their publication.

(1) New or amended fees and charges enter into force immediately upon their publication

(2) There is a time period accorded between the publication of new or amended fees and charges and their entry into force.

**Art.6.1.3** *An adequate time period shall be accorded between the publication of new or amended fees and charges and their entry into force, except in urgent circumstances. Such fees and charges shall not be applied until information on them has been published.*

**Q51. Are there fees for Customs services during normal working hours?**

(0) There are fees for Customs services during normal working hours.

(2) There are no fees for Customs services during normal working hours.

**Q52. Implementation of penalty disciplines for the breach of customs laws, regulations or procedural requirements - transparency**

(0) The rules, regulations or procedures regarding penalty disciplines for the breach of customs laws, regulations, or procedural requirements are not publicly available.

(1) The rules, regulations or procedures regarding penalty disciplines for the breach of customs laws, regulations, or procedural requirements are publicly available.

(2). The rules, regulations or procedures regarding penalty disciplines for the breach of customs laws, regulations, or procedural requirements are publicly available and they clearly specify the persons that can be held responsible for such breach.

**Art.1.1.g** *Each Member shall promptly publish ...penalty provisions against breaches of import, export or transit formalities*

**Art.6.3.2** *Each Member shall ensure that penalties for a breach of a customs law, regulation, or procedural requirement are imposed only on the person(s) responsible for the breach under its laws.*

**Q53. Implementation of penalty disciplines for the breach of customs laws, regulations or procedural requirements - proportionality**

(0) Penalties imposed for the breach of customs laws, regulations, or procedural requirements are assessed and applied regardless of the circumstances and the severity of the breach.

(2) Penalties imposed for the breach of customs laws, regulations, or procedural requirements depend on the facts and circumstances of the case and are commensurate with the degree and severity of the breach.

**Art.6.3.3.** *The penalty imposed shall depend on the facts and circumstances of the case and shall be commensurate with the degree and severity of the breach.*

**Q54. Procedural guarantees on penalties\***

(0) The administration does not provide any explanation in writing on the basis for assessing and applying the penalty.

(2) The administration provides an explanation in writing to the person upon whom the penalty is imposed, specifying the nature of the breach and the applicable regulation.

**Art.6.3.5** *Each Member shall ensure that when a penalty is imposed for a breach of customs laws, regulations, or procedural requirements, an explanation in writing is provided to the person(s) upon whom the penalty is imposed specifying the nature of the breach and the applicable law, regulation or procedure under which the amount or range of penalty for the breach has been prescribed.*

**Q55 Conflicts of interest in the assessment and collection of penalties and duties**

(0) Remuneration of customs officials is based on a fixed portion or percentage of any penalties or duties that they assess or collect.

(2) Remuneration of customs officials is independent of any penalties or duties that they assess or collect

**Art.6.3.4** Each Member shall ensure that it maintains measures to avoid: (i) conflicts of interest in the assessment and collection of penalties and duties; and (ii). creating an incentive for the assessment or collection of a penalty that is inconsistent with paragraph 3.3.

**Q56. Is voluntary disclosure of the breach of customs regulation by the person responsible a mitigating factor when establishing penalties?**

(0) Voluntarily disclosure of the breach of a customs regulation, by the person responsible, prior to the discovery of the breach by the customs administration, is not considered a mitigating factor when establishing penalties.

(2) Voluntarily disclosure of the breach of a customs regulation, by the person responsible, prior to the discovery of the breach by the customs administration, is considered a mitigating factor when establishing penalties.

**Art.6.3.6** When a person voluntarily discloses to a Member's customs administration the circumstances of a breach of a customs law, regulation, or procedural requirement prior to the discovery of the breach by the customs administration, the Member is encouraged to, where appropriate, consider this fact as a potential mitigating factor when establishing a penalty for that person.

#### FORMALITIES - DOCUMENTS

**Q57. Are copies of documents\* accepted?**

(0) Customs and other border agencies do not accept copies of documents.

(1) Copies are accepted with exceptions (related to the type of good, the circumstances or the agency).

(2) Copies are accepted without exceptions, although the original may need to be presented upon request.

\*Each Member shall, where appropriate, endeavour to accept paper or electronic copies of supporting documents required for import, export and transit formalities. (Art.10.2.1)

**Q58. What is the percent of supporting documents required for import, export and transit formalities for which copies are accepted?\***

Please provide the percentage of supporting documents required for import, export and transit formalities for which border authorities accept copies:

\* Each Member shall, where appropriate, endeavour to accept paper or electronic copies of supporting documents required for import, export or transit formalities. (Art.10.2.1)

The percentage should be calculated on the basis of the total number of supporting documents required by the country for import, export or transit.

**Q59. Are copies accepted where another government agency already holds the original?**

(0) Customs and other border agencies do not accept copies of documents.

(2) Copies are accepted where another government agency holds the original of the document.

\* Where a government agency of a Member already holds the original of such a document, any other agency of that Member shall accept a paper or electronic copy, where applicable, from the agency holding the original in lieu of the original document. (Art.10.2.2)

**Q60. How widely are international standards\* used?**

Please indicate which of the following Conventions have been ratified:

Convention (2005) on Facilitation of International Maritime Traffic
---------------------------------------------------------------------

Convention (2006) on International Civil Aviation
---------------------------------------------------

Convention (1990) on the Temporary Admission of Goods (Istanbul Convention)
-----------------------------------------------------------------------------

International Convention (1986) on the Harmonized Commodity Description and Coding System (HS Convention)
-----------------------------------------------------------------------------------------------------------

General Annex of the International Convention (1999) on the Simplification and Harmonisation of Customs procedures (Revised Kyoto Convention)
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\* As a proxy of acceptance of international standards we consider the ratifications to the following conventions: Convention (2005) on Facilitation of International Maritime Traffic, Convention (2006) on International Civil Aviation, Convention (1990) on the Temporary Admission of Goods (Istanbul Convention), International Convention (1986) on the Harmonized Commodity Description and Coding System (HS Convention), General Annex of the International Convention (1999) on the Simplification and Harmonisation of Customs procedures (Revised Kyoto Convention).

**Q61. What is the number of documents for import?**

Please provide the number of documents necessary for importation:

**Q62. What is the number of documents for export?**

Please provide the number of documents necessary for exportation:

**Q63. Are relevant border agencies required to carry out a periodic review of their documentation requirements?**

- (0) Relevant border agencies do not carry out a periodic review of their documentation requirements.
- (1) Relevant border agencies carry out periodic reviews of their documentation requirements and ensure that requirements that are no longer required are discontinued.
- (2) Relevant border agencies carry out periodic reviews of their documentation requirements and proceed to simplify requirements that are unduly consuming or costly for traders.

**Art.10.1.1** (...) each Member shall review (...) documentation requirements, and, based on the results of the review, ensure, as appropriate, that (they ...) b. are adopted and/or applied in a manner that aims at reducing the time and cost of compliance for traders and operators; c. are the least trade restrictive measure chosen, where two or more alternative measures are reasonably available for fulfilling the policy objective or objectives in question; and d. are not maintained, including parts thereof, if no longer required

**FORMALITIES – AUTOMATION**

**Q64. What is the percent of import declarations cleared electronically?**

Please provide the percentage of import declarations cleared electronically:

**Q65. What is the percent of export declarations cleared electronically?**

Please provide the percentage of export declarations cleared electronically:

**Q66. What is the percent of import and export procedures that allow for electronic processing?\***

Please provide the percentage of all import and export procedures, including processing of documents and payment of duties, taxes, fees and charges that allow for electronic processing:

\* Members shall, as appropriate, provide for advance lodging of documents in electronic format for pre-arrival processing of such documents (Art.7.1.2) Each Member shall, to the extent practicable, adopt or maintain procedures allowing the option of electronic payment for duties, taxes, fees and charges collected by customs incurred upon importation and exportation. (Art.7.2)

**Q67. How much are border agencies spending on automation annually\* (in USD)?**

Please provide the total automation spending (in USD):

\* This variable refers to the amount spent for automating formalities connected with importation, exportation or transit, whether in charge of the Customs agencies or other agencies dealing with goods import, export or transit, such as sanitary and phytosanitary control agencies, port authorities, etc. during the current year.

**Q68. Is pre-arrival processing\* supported by the possibility to lodge documents in advance in electronic format?**

- (0) Documents cannot be lodged in advance in electronic format..
- (1) Advance lodging of documents in electronic format is in the process of implementation, not yet fully operational.
- (2) There is a fully operational mechanism, allowing for the advance lodging of documents in electronic format.

\* Pre-arrival processing refers to the procedures allowing for the submission of import documentation (...) in advance, in order to begin processing prior to the arrival of goods (Art.7.4.3)

**Q69. Do import and export procedures allow for the electronic payment of duties, taxes, fees and charges (including inspections fees, licenses, permits, other fees) collected upon importation and exportation?**

- (0) Import and export procedures do not allow for the electronic payment of duties, taxes, fees and charges collected upon importation and exportation.
- (1) Some of the duties, taxes, fees and charges collected upon importation and exportation can be paid electronically.
- (2) All duties, taxes, fees and charges collected upon importation and exportation can be paid electronically.

**Art.7.2** Each Member shall, to the extent practicable, adopt or maintain procedures allowing the option of electronic payment for duties, taxes, fees and charges collected by customs incurred upon importation and exportation

**Q70. Is the electronic payment system integrated with the automated declaration/cargo processing systems?**

- (0) The electronic payment system is not integrated with the automated declaration/cargo processing systems.
- (1) The electronic payment system is in the process of being integrated with the automated declaration/cargo processing systems.
- (2) The electronic payment system is integrated with the automated declaration/cargo processing systems.

**Q71. Is Risk Management\* applied and operating in an automated environment ?**

- (0) There are no risk management mechanisms in place.
- (1) Risk management mechanisms, whether fully operational or in the process of implementation, are not supported by information technology.

(2) There is a fully operational mechanism, supported by information technology.

\* Risk Management means the systematic application of management procedures and practices providing Customs and other relevant border agencies with the necessary information to address movements or consignments on the basis of risks they represent. "Risk" is defined as the potential for non-compliance with Customs and/or other relevant laws. *Each Member shall concentrate customs control and, to the extent possible other relevant border controls, on high risk consignments and expedite the release of low risk consignments. (Art.7.4.3)*

**Q72. Is the single window supported by information technology?**

- (0) There is no single window, or the single window operates totally in a non-automated environment.
- (1) The automation of the single window is work in progress.
- (2) The single window is fully supported by information technology.

**Art.10.4.4** *Members shall, to the extent possible and practical, use information technology to support the single window.*

**Q73. Are IT Systems capable of accepting and exchanging data electronically\* ?**

- (0) IT systems are not ready for EDI accepting and exchanging data electronically.
- (1) In the process of implementation, not yet fully operational.
- (2) IT systems are ready for EDI accepting and exchanging data electronically.

**Q74. Does the automated processing system include functions allowing for the release of goods subject to conditions (i.e. guarantee)?**

- (0) The release of goods is not separated from the final determination and payment of Customs duties, taxes, fees and charges, or such separation cannot take place in the context of automated declaration processing.
- (2) The automated declaration processing includes functions allowing for the release of goods subject to conditions, such as the deposit of appropriate guarantee.

**Q75. Are digital certificates and signatures in place?**

- (0) No use of electronic signatures.
- (2) Use of electronic signatures.

**Q76. Is automated processing for Customs declarations available full-time (24/7)?**

- (0) There is no full-time automated processing.
- (2) There is full-time automated processing.

**FORMALITIES – PROCEDURES**

**Q77. Is there a Single Window\*?**

- (0) There is no Single Window.
- (1) A Single Window is planned or in the process of implementation\*\*.
- (2) There is a Single Window.

\* A Single Window is defined as a facility that allows parties involved in trade and transport to lodge standardized documentation and/or data with a single entry point to fulfil all import, export and transit-related regulatory requirements (**UN/CEFACT Recommendation No.33**). *Members shall endeavour to establish or maintain a single window, enabling traders to submit documentation and/or data requirements for importation, exportation or transit of goods through a single entry point to the participating authorities or agencies (Art.10.4.1)*

\*\* It can be a facility already in place acting as a Single Window (i.e not covering all the aspects of a Single Windows facility) or a facility in the process of implementation but not yet fully operational.

**Q78. Are Average Release Times published\*?**

- (0) The average time for the release and clearance of goods is not published in a consistent manner on a periodic basis.
- (2) The average time for the release and clearance of goods is published in a consistent manner on a periodic basis, for major customs offices.

*Members are encouraged to measure and publish their average release time of goods periodically and in a consistent manner ... (Art.7.6.1)*

**Q78b. What is the average Clearance Time\*?**

Please provide the average clearance time (hours):

**Q79. Are there procedures allowing for the pre-arrival processing of goods\*?**

- 0) Procedures allowing for the submission of import documentation and other required information so as to begin processing prior to the arrival of goods are not in place.

(1) Procedures allowing for the submission of import documentation and other required information so as to begin processing prior to the arrival of goods are in the process of implementation.

(2) Procedures allowing for the submission of import documentation and other required information so as to begin processing prior to the arrival of goods are in place.

**If the answer is (2), please provide the percentage of pre-arrival processing:**

*\* Each Member shall adopt or maintain procedures allowing for the submission of import documentation and other required information, including manifests in order to begin processing prior to the arrival of goods with a view to expediting the release of goods upon arrival. (Art.7.1.1)*

**Q80. What is the percent of goods undergoing physical inspections?**

Please provide the percentage of physical inspections:

**Q81. Are perishable\* goods treated differently than non-perishable goods with regards to physical inspections\*\* regarding timeliness?**

(0) Physical inspection procedures do not allow to accelerate the control for perishable goods.

(1) Border agencies give appropriate priority to perishable goods when scheduling required examinations.

(2) Border agencies give appropriate priority to perishable goods when scheduling required examinations and have the possibility to clear such goods outside business hours.

**Q81b. Please provide the percentage of physical inspections for perishable goods:**

*\* Perishable goods are goods that rapidly decay due to their natural characteristics, in particular in the absence of appropriate storage conditions.*

*Each Member shall give appropriate priority to perishable goods when scheduling any examinations that may be required. (Art. 7.9.2)*

**Q82. Are perishable goods treated differently than non-perishable goods with regards to physical inspections- storage conditions ?**

(0) There are no proper storage facilities for perishable products and the Customs border agencies do not have the authority to clear perishable goods at storage facilities arranged by the importer.

(2) Storage facilities have been arranged by the authorities to ensure perishable products benefit from appropriate storage conditions or Customs border agencies have the authority to clear perishable goods at storage facilities arranged by the importer.

**Q83. Is the release of goods separated from final determination and payment of Customs duties\* ?**

(0) There is no such possibility.

(1) Yes, but it is restricted to the Authorized Economic Operator status.

(2) Yes, provided that all other regulatory requirements have been met, without conditions other than the submission of guarantee or a deposit for any amount not yet determined.

*\* Each Member shall adopt or maintain procedures allowing the release of goods prior to the final determination of customs duties, taxes, fees and charges, if such a determination is not done prior to, or upon arrival, or as rapidly as possible after arrival and provided that all other regulatory requirements have been met. As a condition for such release, a Member may require ... payment of any amount not yet determined in the form of a ... deposit ...or a guarantee in the form of a surety, a deposit or other appropriate instrument provided for in its laws and regulations. (Art.7.3)*

**Q84. What is the percent of goods released prior to final determination and payment of Customs duties, taxes, fees and charges ?**

**Q84a.** Percentage of releases prior to final determination and payment of Customs duties, taxes, fees and charges :

**Q84b.** Percentage of releases for perishable goods prior to final determination and payment of Customs duties, taxes, fees and charges :

**Q85. Are perishable goods treated differently than non-perishable goods concerning the separation of release from clearance?\***

(0) There is no preferential treatment of perishable goods.

(2) Perishable goods enjoy preferential treatment concerning the separation of release from clearance.

*\* With a view to preventing avoidable loss or deterioration of perishable goods, and provided all regulatory requirements have been met, each Member shall:*

*a. provide for the release of perishable goods under normal circumstances within the shortest possible time; and*

*b. provide for the release of perishable goods, in exceptional circumstances where it would be appropriate to do so, outside the business hours of customs and other relevant authorities. (Art. 7.9.1)*

**Q86. Are customs controls supported by a risk management system allowing risks to be assessed through appropriate selectivity criteria?**

- (0) There is no risk management system for customs controls.
- (1) A risk management system to support customs controls is in the process of implementation.
- (2) A risk management system is fully operational and allows customs controls to concentrate on high-risk consignments, expediting the release of low-risk consignments.

**Art 7.4.1.** *Each Member shall, to the extent possible, adopt or maintain a risk management system for customs control.*

**Art.7.4.3.** *Each Member shall concentrate customs control and, to the extent possible other relevant border controls, on high risk consignments and expedite the release of low risk consignments.*

**Art.7.4.4.** *Each Member shall base risk management on assessment of risk through appropriate selectivity criteria. Such selectivity criteria may include, inter alia, HS code, nature and description of the goods, country of origin, country from which the goods were shipped, value of the goods, compliance record of traders, and type of means of transport.*

**Q87. Are other border controls supported by a risk management system?**

- (0) There is no risk management system for border controls other than customs.
- (1) Risk management systems to support border controls other than customs are in the process of implementation.
- (2) Border controls other than customs are supported by a risk management system, allowing those controls to concentrate on high-risk consignments and expedite the release of low-risk consignments.

**\* Please indicate the border agencies having in place, or in the process of implementing a risk management system:** \_\_\_\_\_

**Q88. Does Customs use risk channels (green, yellow, red – or equivalent) for customs clearance? If yes, please indicate the percentage of shipments that are allocated to the red, green and yellow channel in the total number of shipments of cargo cleared in a year?**

Red channel:

Yellow channel:

Green channel:

**Q89. Is compliance with customs and other related laws and regulations supported by post-clearance audits (PCAs) \*\*?**

- (0) PCAs are not conducted:
  - (1) PCAs are conducted
  - (2) PCAs are conducted and the results are used in applying risk management.
- If the answer is (1) or (2), please indicate the percentage of Post-Clearance Audits (PCAs) carried out:

*\* With a view to expediting the release of goods, each Member shall adopt or maintain post-clearance audit to ensure compliance with customs and other related laws and regulations. (Art.7.5.1)*

**Q90. Establishment of standard policies and procedures to guide PCAs**

- (0) There are no standard policies and procedures to guide the conduct of PCAs.
- (1) Standard policies and procedures are established to guide the conduct of PCAs.
- (2) Standard policies and procedures ensure the conduct of PCAs in a transparent and risk-based manner.

**Q91. Is the use of pre-shipment inspections required on Customs matters\*?**

- (0) The country requires pre-shipment inspection on tariff classification and customs valuation.
- (1) No pre-shipment inspection is required on tariff classification and customs valuation.
- (2) No pre-shipment inspection is required on any Customs matter.

*\* Members shall not require the use of pre-shipment inspections in relation to tariff classification and customs valuation. Without prejudice to the rights of Members to use other types of pre-shipment inspection ... Members are encouraged not to introduce or apply new requirements regarding their use (Art.10.5.1 and Art.10.5.2)*

**Q92. Is it possible to provide additional trade facilitation measures to operators meeting specified criteria (authorized operators or AOs)\*?**

- (0) There is no possibility to provide additional facilitation to Authorized Operators.
- (1) Additional trade facilitation measures are provided to Authorised Operators meeting criteria related to compliance or the risk of non-compliance\*\*.
- (2) The applied Authorised Operator scheme is developed on the basis of relevant international standards.

\* This can be offered either under a separate scheme or as part of *customs procedures generally available to all operators*.

\*\* Such as an *appropriate record of compliance with customs and other related laws and regulations; a system of managing records to allow for necessary internal controls; financial solvency; supply chain security (Art.7.7.2)*

**Art.7.7.1** *Each Member shall provide additional trade facilitation measures related to import, export or transit formalities and procedures, (...) to operators who meet specified criteria, hereinafter called authorized operators. Alternatively, a Member may offer such facilitation measures through customs procedures generally available to all operators and not be required to establish a separate scheme.*

**Q93. Transparency of the criteria for qualifying as an Authorized Operator (AO) and the procedures for submission and review of applications for AO status**

- (0) The criteria for qualifying as an Authorized Operator (AO) and the procedures for submission and review of applications for AO status are not defined or published.
- (1) The criteria for qualifying as an Authorized Operator (AO) and the procedures for submission and review of applications for AO status are made available in paper publications.
- (2) The criteria for qualifying as an Authorized Operator (AO) and the procedures for submission and review of applications for AO status are published on a dedicated webpage and an online request procedure is available.

**Art.7.7.2** *The specified criteria shall be related to compliance, or the risk of non-compliance, with requirements specified in a Member's laws, regulations or procedures.*

**Q94. What is the percentage of Authorized Operators (AOs)\* against the total number of traders?**

Please provide the percentage of AOs against the total number of traders:

Please provide the percentage of SMEs in the total number of AOs

**Art 7.7.2.** *Criteria to qualify as an authorized operator ... shall not ... to the extent possible, restrict the participation of small and medium-sized enterprises.*

**Q95. What is the annual percentage of trade volume handled by Authorized Operators?**

Please provide the annual percentage of trade volume handled by AOs:

**Q96. How long does it take on average to obtain Authorized Operator certification?\***

Please specify the time necessary on average to obtain AO certification:

\* This question is not applicable if the country provides additional trade facilitation measures as part of *customs procedures generally available to all operators*, and not by establishing a separate scheme, as provided in **Art.7.7.1**

**Q97. What are the benefits provided for Authorized Operators?**

**Please specify which of these benefits are linked to the AO status:**

- Deferred payment of duties, taxes, fees and charges
- Use of comprehensive guarantees or reduced guarantees
- Low rate of physical inspections
- Low documentary and data requirements
- A single Customs declaration for all imports and exports in a given period
- Rapid release time
- Clearance of goods at the premises of the AO

**Q98. Adjustment of working hours of Customs personnel to commercial needs**

- (0) The working hours of Customs personnel are not adapted to commercial needs.
- (1) The working hours of Customs personnel are partially adapted to commercial needs.
- (2) The private sector considers that working hours of Customs personnel are entirely adapted to commercial needs.

**Q99. Requirement for clearance by a third-party customs broker**

- (0) The use of a third-party customs broker is mandatory.
- (1) The use of a third party customs broker is mandatory for certain types of consignees.
- (2) The use of a third-party customs broker is not mandatory

**Art.10.6.1** (...) from the entry into force of this agreement Members shall not introduce the mandatory use of customs brokers

**Q100. Expedited release procedures**

(0) There are no procedures allowing for the rapid release of expedited shipments.

(1) Goods may benefit from expedited release to persons meeting specific qualifying criteria\*, but this is limited to certain types of goods only\*\*.

(2) Goods of any type, weight or value may benefit from expedited release to persons meeting specific qualifying criteria\*.

\* Including an adequate infrastructure and payment of customs expenses related to processing of expedited shipments; advance submission of the information necessary for the release; a high degree of security, logistics and tracking control over the shipment; a good compliance record.

\*\* Please specify :

Type of goods	Yes/no
Goods entering through air cargo facilities only	
Low value goods only	
Other _____	

**Q101. Procedures for the re-export of rejected goods**

(0) The importer does not have the right to return to the exporter goods that have been rejected for import due to failure to comply with prescribed sanitary and phytosanitary regulations or technical regulations.

(1) The importer has the right to return rejected goods that are not subject to specific prohibitions.

(2) The importer has this right to return rejected goods and a reasonable period of time is granted to complete the re-export.

**Art. 10.8.1** Where goods presented for import are rejected by the competent authority of a Member on account of their failure to meet prescribed sanitary or phytosanitary regulations or technical regulations, the Member shall, subject to and consistent with its laws and regulations, allow the importer to re-consign or to return the rejected goods to the exporter or another person designated by the exporter

**Q102. Temporary Admission of Goods and Inward and Outward Processing**

(0) Goods moved into or out of the customs territory for a specific purpose, including for inward or outward processing are not relieved from the payment of import duties and taxes.

(2) Goods moved into or out of the customs territory for a specific purpose, including for inward or outward processing are relieved totally or partially from the payment of import duties and taxes.

**Art. 10.9.9** Each Member shall allow ... goods to be brought into a customs territory conditionally relieved, totally or partially, from payment of import duties and taxes if such goods are brought ... for a specific purpose, are intended for re-exportation within a specific period, and have not undergone any change except normal depreciation and wastage due to the use made of them.

Goods allowed for outward processing may be reimported with total or partial exemption from import duties and taxes in accordance with the Member's laws and regulations in force

**BORDER AGENCY CO-OPERATION – INTERNAL\***

\*within the same country

**Q103. General co-operation and co-ordination of the activities of domestic agencies involved in the management of cross border trade, with a view to improving border control efficiency and facilitating trade\***

(0) There is no co-operation and co-ordination between the various domestic agencies involved in the management of cross border trade.

(1) Co-operation, co-ordination, exchange of information and mutual assistance involves substantially all domestic agencies involved in the management of cross border trade.

(2) There is an explicit co-ordination strategy led at a high political level.

\* A Member shall 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 co-ordinate their activities in order to facilitate trade. (Art. 8.1)

**Q104. Institutionalised mechanism to support inter-agency co-ordination**

(0) There is no inter-agency co-ordination body.

(2) An inter-agency co-ordination body is established to facilitate domestic co-ordination.

The above score of (2) is multiplied with the percentage of listed features\* to which the body meets the terms of.

This is a continuous variable, i.e. the final score of the variable ranges from 0 to 2.

**TFA Art 23.2**

\*Please specify whether the co-ordination platform

Yes/no

Has established terms of reference and procedures for conducting its activities

Has a permanent technical Secretariat

Its decisions and recommendations are made publicly available on a dedicated webpage

Has a Steering Committee which monitors the implementation of decisions

Has clear provisions for its financing

Includes at least 60% of relevant agencies (a number of \_\_\_\_ agencies of a total of \_\_\_\_ relevant agencies in the country)

**Q105. Domestic inter-agency co-ordination mechanisms meet regularly to develop strategy and oversee implementation of border agency co-operation\***

(0) There are no meetings between the different public agencies involved in the procedures required to import or export goods or such meetings are only ad hoc.

(1) Regular meetings are held to improve co-operation.

(2) Regular meetings are held and the proceedings are publicly available.

\* If the score of the previous question Q104 is zero, this variable is also scored zero.

**Q106. Domestic co-ordination / harmonisation of data requirements and documentary controls among agencies involved in the management of cross border trade**

(0) Data requirements of various border agencies are not coordinated / harmonised.

(1) Data requirements are coordinated / harmonised through common data definitions and types of information requested and mechanisms established to ensure timely exchange of information among the relevant border agencies.

(2) Data requirements are coordinated/harmonised and a single data entry is possible for traders.\*

**TFA Art 8.1**

\* for instance through a single window platform

**Q107. Interconnected or shared computer systems and real time availability of pertinent data among domestic agencies involved in the management of cross border trade**

(0) There are no interconnected or shared computer systems and no exchange of data among domestic agencies involved in the management of cross border trade.

(1) Exchange or transmission of data is provided between the different systems on a regular basis (daily, weekly, monthly).

(2) There are interconnected or shared computer systems and data is commonly available in real time.\*

**TFA Art 8.1**

**Q108. Domestic co-ordination of inspections among agencies involved in the management of cross border trade**

(0) There is no domestic co-ordination of physical inspections and controls between the various agencies involved in the management of cross border trade.

(1) There is informal and ad hoc co-ordination to address contingencies.

(2) A single location and coordinated timing is established for the physical inspection of consignments by the various concerned agencies.

**TFA Art 8.1**

**Q109. Shared results of inspections and controls among agencies involved in the management of cross border trade with a view to improving border control efficiency and facilitating trade**

(0) No, inspection results are not shared among the agencies involved in the management of cross border trade.

(2) Inspection results are shared among the agencies involved in the management of cross border trade.

**TFA Art 8.1**

**Q110. Control delegation at the national level**

The score is (0) if government agencies do not delegate controls to another agency involved in the management of cross border trade.

Otherwise, the score is the percentage\* of government agencies delegating controls to another agency involved in the management of cross border trade multiplied by the top score (2). As an example, 60% of agencies delegating controls leads to a score of 1.2, while 40% delegating leads to a score of 0.8.

This is a continuous variable, i.e. the score of the variable ranges from 0 to 2.

**\*Please specify the number of agencies \_\_\_\_\_ of the total \_\_\_\_\_ relevant agencies which are currently delegating controls.**

**Q111. Coordinated / shared risk management mechanisms**

(0) Domestic agencies involved in the management of cross border trade maintain separate risk management mechanisms.

(1) Domestic agencies involved in the management of cross border trade maintain separate risk management mechanisms but share intelligence with a view to improving risk management efficiency.

(2) There are interagency synergies in terms of risk analysis and shared data and risk profiling of goods.

**Q112. Authorised Operators programs**

(0) Each agency certifies its own Authorised Operators.

(1) Ad hoc collaboration exists among certain agencies on the certification of Authorised Operators.

(2) Explicit strategies have been implemented among the agencies to harmonise the requirements, co-ordinate the certification, manage the follow-up and co-ordinate the inspection of Authorised Operators.

**Q113. Coordinated / shared infrastructure and equipment use**

(0) Domestic agencies involved in the management of cross border trade do not share infrastructure and equipment.

(2) Domestic agencies involved in the management of cross border trade share infrastructure and equipment.

**BORDER AGENCY CO-OPERATION – EXTERNAL\***

\*with other countries

**Q114. Cross-border co-operation and co-ordination of the activities of agencies involved in the management of cross border trade, with a view to improving border control efficiency and facilitating trade\***

(0) There is no cross-border co-operation and co-ordination with border agencies in neighbouring countries.

(1) National legislation allows for cross-border co-operation, co-ordination, exchange of information and mutual assistance with border authorities in neighbouring countries.

(2) There is an explicit co-ordination strategy led at a high political level, or the concerned countries belong to a Customs Union.

**TFA Art. 8.1**

**Q115. Alignment of working days and hours with neighbouring countries at land borders where applicable**

(0) Working days and hours are not aligned with neighbouring countries.

(2) Working days and hours are aligned with neighbouring countries.

**TFA Art. 8.2 (i)**

**Q116. Alignment of procedures and formalities with neighbouring countries at borders where applicable**

(0) Procedures and formalities are not aligned with neighbouring countries.

(1) Local arrangements exist in order to facilitate goods' traffic

(2) Procedures and formalities are aligned with neighbouring countries.

**TFA Art. 8.3 (ii)**

**Q117. Cross-border co-ordination / harmonisation of data requirements and documentary controls**

(0) Data requirements are not coordinated / harmonised with neighbouring countries.

(1) Work is under way with neighbouring countries in order to identify strategies for co-ordination/harmonisation of data requirements.

(2) Data requirements are coordinated / harmonised with neighbouring countries through common data definitions and types of information requested and mechanisms established to ensure timely exchange of information\*, or the concerned countries belong to a Customs Union.

\* for instance by means of interoperability of National Single Windows

**Q118. Cross-border co-ordination / harmonisation of the different computer systems**

- (0) Computer language and systems are not coordinated / harmonised with neighbouring countries.
- (1) Work is under way with neighbouring countries in order to identify strategies for co-ordination/harmonisation of computer language and systems.
- (2) Computer language and systems are coordinated / harmonised with neighbouring countries.

**Q119. Risk management co-operation**

- (0) There is no risk management co-operation with border agencies in neighbouring countries.
- (1) Border agencies in neighbouring countries share intelligence with a view to improving risk management efficiency and facilitating licit trade.
- (2) There are interagency synergies in terms of shared risk profiling of traders or goods, or of risk analysis and exchange of the results thereof.

**Q120. Systematic sharing of control results among neighbouring countries at border crossings with a view to improving the risk analysis as well as the efficiency of border controls and to facilitating licit trade**

- (0) The control results are not shared with border agencies in neighbouring countries.
- (1) National legislation allows for exchanging information about control results.
- (2) The control results are shared with border agencies in neighbouring countries.

**Q121. Development and sharing of common facilities with neighbouring countries at border crossings, where applicable**

- (0) Common facilities are not developed and shared with neighbouring countries.
- (1) There are no common facilities, but some infrastructure and equipment is shared between neighbouring countries at land borders.
- (2) Common facilities are developed and shared with neighbouring countries.

**TFA Art. 8.3 (iii)**

**Q122. Joint controls with neighbouring countries at border crossings, where applicable**

- (0) There are no joint controls performed in co-operation with neighbouring countries.
- (1) Joint controls are performed with neighbouring countries.
- (2) One-stop border posts are shared with neighbouring countries.

**TFA Art. 8.3 (iv, v)**

**Q123. Mutual Recognition Agreements/Arrangements on Authorized Operators\* (AOs), where applicable**

The score is (0) if the Customs administration has not signed any MRAs on AOs. The score is also (0) if the country does not have AO programs in place.

If MRAs on AOs have been signed with partner countries, an assigned score of (2) is multiplied with the percentage of listed features\*\* the MRAs cover.

This is a continuous variable, i.e. the score of the variable ranges from 0 to 2.

**TFA Art. 7.5**

\*\*Mutual Recognition (MR) is a broad concept embodied within the WCO SAFE Framework whereby an action or decision taken or an authorization that has been properly granted by one Customs administration, is recognized and accepted by another Customs administration (...)The objective of Mutual Recognition of AEOs is that one Customs administration recognizes the validation findings and AEO authorizations by the other Customs administration issued under the other programme and agrees to provide substantial, comparable and – where possible - reciprocal benefits/facilitation to the mutually recognized AEOs." (WCO, *Guidelines for Developing a Mutual Recognition Arrangement/Agreement*)

**\*\*Please specify whether MRAs cover:**

Agreed benefits that can be delivered to the AOs covered by the MRA  
 The practical arrangements enabling the participating Customs administrations to provide the agreed benefits  
 Use of compatible technologies for the AO data exSChange with the partner country  
 Storing of AO data is reconciled with data protection and data security concerns

Yes/no

Reference to the procedures to be followed if one MRA partner finds irregularities involving the AOs of the other partner country  
 Include consultations with the private sector

**Q124. Exchange of staff and training programmes at the international level**

- (0) There are no programmes to exchange staff with partner countries.
- (1) There are occasional exchanges of know-how with neighbouring or third countries.
- (2) There are regular exchange programmes, as well as training seminars on best practices, with both neighbouring and third countries.

**TFA Art. 12.1.2**

**GOVERNANCE AND IMPARTIALITY**

**Q125. Are the structures and functions in the border agencies clearly established and transparent?**

- (0) Structures and functions of the various administrations involved in the border process are not publicly described.
- (2) Structures and functions of the various administrations involved in the border process are clearly established and publicly available.

**Q126. Is there an ethics policy applied to border agencies?**

- (0) There is no ethics policy applied to the various agencies involved in the border process
- (1) There is an ethics policy applied to the various agencies involved in the border process
- (2) Violations of ethics regulations are prosecuted. The ethics policy observes all of the principles of the Revised Arusha Declaration.

**Q127. Have the various border agencies established a Code of conduct?**

- (0) There is no Code of conduct in the various agencies involved in the border process.
- (1) A Code of Conduct is developed.
- (2) The Code of Conduct is published and there is a communications strategy to make it available to all employees.

**Q128. Are there effective sanctions against misconduct of border agency staff?**

- (0) Sanctions against misconduct are not published.
- (2) The code of conduct includes disciplinary provisions specifying what constitutes misconduct and the sanctions which apply.

**Q129. Is there efficient internal communication about policies and procedures of agencies involved in the border process?**

- (0) There are no arrangements in place to ensure that staff receives relevant information in good time about new legislation and regulation, and changes to existing legislation and regulation.
- (2) Arrangements are in place to ensure that staff receives relevant information in good time about new legislation and regulation, and changes to existing legislation and regulation.

**Q130. Is there an internal systems audit function in the various agencies involved in the border process?**

- (0) There is no internal audit mechanism.
- (2) An audit function for internal systems is established, adequately empowered and operational.

**Q131. Are non-compliance penalties for border agency staff transparent and proportional?**

- (0) There is no publicly available information on non-compliance penalties.
- (2) Systems of non-compliance penalties are transparent and balanced.

**Q132. Are there clear provisions for the financing of the Customs administration?**

- (0) There is no public information as to the financing of the Customs administration.
- (2) Financing is determined and set out in legal provisions and related information is publicly available.

**Q133. Do Customs publish an annual report?**

- (0) Customs do not publish annual activity reports.
- (1) Annual reports are available, but they contain insufficient information on customs activities\*.
- (2) Annual reports are available and contain sufficient information on Customs activities.

\* Information is viewed here as insufficient if it does not include information on budget and duties collected, complaints or efficiency indicators.