

Acknowledgements

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Foreword by the WTO Director-General

When WTO members concluded

to comment before entry into force of new/amended laws and regulations (Article 2), advance rulings (Article 3), procedures for appeal (Article 4), non-discrimination and transparency (Article 5), fees and charges (Article 6), the release and clearance of goods (Article 7), border agency cooperation (Article 8), the movement of goods (Article 9), import/export/transit formalities (Article 10), freedom of transit (Article 11) and customs cooperation (Article 12).

In order to make implementation practicable, the TFA takes a new and innovative approach to special and differential (S&D) treatment for developing and least-developed countries (LDCs).

The TFA introduces a category system, allowing each developing and least-developed member to self-determine when it will implement the respective provisions and what it needs in terms of related capacity-building support.

Category A contains provisions that developing and LDC members designate for implementation upon entry into force of the TFA (or within one year in the case of LDCs). Category B contains provisions that developing and LDC members will implement after a transition period following entry into force of the Agreement. Finally, Category C contains provisions that developing and LDC members will implement after a transition period "and requiring the acquisition of implementation capacity through the provision of assistance and support for capacity building."

Together with additional flexibilities, including the right of developing countries and LDCs to shift provisions from Category B to Category C, the TFA breaks new ground in its implementation philosophy, allowing members to tailor implementation to their particular circumstances.

With negotiations on the TFA concluded, the focus of members has now shifted to ratification and implementation.

Members have agreed on a road map for

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for Customs Data and Management (ASYCUDA) aimed at speeding up customs clearance. Finally, numerous other organizations, like the Organisation for Economic Co-operation and Development (OECD) have contributed to enhancing technical knowledge on customs measures by developing trade facilitation indicators and sharing research results.

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agreement creates additional benefits compared to what can be achieved unilaterally.

It provides greater legal certainty to the changes in trade procedures. It helps in the adoption of common approaches to customs and related matters, which should increase the gains from trade facilitation by harmonizing customs procedures worldwide. By foreseeing that richer members will provide assistance and support for capacity building to developing and LDC members to help them implement the TFA, the Agreement helps to match the supply of capacity building with the demand for it. The TFA could also help governments address a credibility problem by integrating their trade facilitation commitments into an institution with an



The wider adoption of information communication technology and the automation of customs management are some of the most effective tools for facilitating trade and achievement



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and practice, the administrative capacity to carry them out effectively may not be sufficient, thus creating a wedge between expectations and outcomes. Economic monitoring will enable problems that hinder developing countries and LDCs from acquiring implementation capacity to be quickly identified and solutions found. Ultimately, economic evaluation should give members a better picture of how the TFA is working to reduce trade costs and increase trade.

More data, particularly implementation costs, better indicators

