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CENTRE FOR TRADE FACILITATION AND ELECTRONIC BUSINESS
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INTERNATIONAL TRADE PROCEDURES PROGRAMME DEVELOPMENT AREA
INTERNATIONAL TRADE PROCEDURES DOMAIN

PROPOSED RECOMMENDATION ON
READINESS FOR EMERGENCY RELIEF IMPORTATION¹

DRAFT

SOURCE: Relief Import Project Team

ACTION: Draft development

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¹ Policy title subject to change

Background This high-level policy recommendation will promote to governments the importance of embedding national capacity and readiness for prioritization and management of a large influx of relief. The sudden onset of a natural disaster sees both humanitarian relief providers and national administrations being unclear around the importation requirements and procedures for needed relief items, including the special cases of medicines and medical equipment, telecommunications equipment and vehicles. This uncertainty can add undue pressure to an already difficult situation, leading to unforeseen delays in getting relief items to disaster affected people.

Should we expand the scope? Disaster relief is not solely a matter of importing relief items. It also has a significant domestic component.

Name of policy recommendation The working title of the policy recommendation is: **Cross border management of humanitarian relief in sudden onset disasters**. If you have feedback or alternative ideas on this title, please do send through your comments.

- I do agree with the name adaptation.
- The title is certainly more catchy but has a connotation that the scope goes far beyond the importation of relief items, and that it addresses multi-national organizations or bodies rather than governments, but that's just my personal opinion.
- Alternative suggestion: Preparedness and rapid release of items imported to assist in the relief of sudden onset disasters

Comments on version 2.0 received from: MSF Belgium
GS1
Help Logistics
Trade Facilitation Consulting Ltd
Global Express Association
UNCTAD
OCHA

OUTLINE:

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PART TWO: GUIDELINES

Section	Key points for consideration	Comments from:
<p>1. Introduction</p>	<p>[Working draft] In a changing and increasingly complex world, governments are facing more pronounced challenges such as increasing incidence of natural disasters, threats to peace and security as well as disease and environmental related illness. When affected by disaster, they are charged with the responsibility of ensuring timely importation of necessary relief goods as well as accurate application of tax exemptions and protecting their borders from dangerous or illegal traffic. The pressure at borders is further compressed with increasing numbers and diversity of international actors independently responding to large scale emergencies.</p> <p>Enhancing readiness to manage international disaster relief requires an assessment of how procedures and controls governing the movement of goods across national borders can be improved to reduce processing times and costs and maximize efficiency, while safeguarding legitimate regulatory objectives.</p>	<p>OCHA</p>
<p>2. General Principles</p>		
<p>i. Threat and risk assessment</p>	<p>Governments should assess the potential threats and risks of being affected by disaster:</p> <ul style="list-style-type: none"> • Leveraging work undertaken by the <u>Global Facility for Disaster Reduction and Recovery (GFDRR)</u> 	<p>Global Express Association</p>
<p>ii. Key stakeholders and engagement</p>	<p>Introduce all actors involved in the end to end importation process and describe their role:</p> <ul style="list-style-type: none"> • Recipients • Donors <ul style="list-style-type: none"> ○ Donors benefiting from easier access to special customs arrangements ○ Donors that may need to hand title over to third parties in order to benefit from special customs arrangement • Providers of transport and logistics services <ul style="list-style-type: none"> ○ Airlines, Shipping lines, Trucking and haulage operators, warehouse service providers • Terminals <ul style="list-style-type: none"> ○ Ports ○ Airports • Transport route <ul style="list-style-type: none"> ○ Transit countries (e.g. host country is landlocked or where goods are shipped via hubs in third countries) ○ Air traffic control etc. • Humanitarian Logistics service enablers <ul style="list-style-type: none"> ○ Freight forwarders ○ Volunteers ○ Professional Humanitarian Logistics Staff ○ Coordinators 	<p>Trade Facilitation Consulting Ltd</p>

	<ul style="list-style-type: none"> • Interface with border agencies, including customs <ul style="list-style-type: none"> ○ Customs Brokers and Agents ○ Electronic systems providers (if part of the host countries trade and customs environment) – e.g. operators of the electronic customs computer or the port community system ○ Imports / exports • Government agencies in the host country <ul style="list-style-type: none"> ○ Border agencies which in most cases will include Customs as well as those responsible for SPS/Quarantine and Immigration type controls ○ Department for Transport (or similar) responsible for vehicle licensing, road safety, driving licenses, etc.) ○ Agencies responsible for aviation security (e.g. security scanning of cargo before loading if on a commercial flight) • Government agencies from which goods originated or are stored <ul style="list-style-type: none"> ○ Customs (e.g. export declaration. Transit declarations, removal from a customs warehouse, etc.) ○ Fiscal authorities (e.g. proof of export to reclaim VAT) ○ Export controls (e.g. dual use) ○ Agencies responsible for aviation security (e.g. known shipper regime for loading aircraft) ○ Government agencies issuing documents required by the host country, e.g. for compliance with <ul style="list-style-type: none"> ▪ Medical/medicines Regulations ▪ Veterinary health (products of animal origin like meat) ▪ Phytosanitary certificates (products of the soil, wood packaging) ▪ Product conformity (e.g. surgical instruments, machinery) ▪ Vehicle licensing / registration ○ Any private sector companies providing services to the government <ul style="list-style-type: none"> ▪ Port community system providers • Operators of customs systems (if in private hand) • INGOs, NGOs (eligible actors vs non-eligible) • It was suggested that Government agencies from origin of goods vs Government agencies from origin of shipment be differentiated to show these are different actors (e.g. for transit scenarios). 	
<p>iii. Categorization of disaster and disaster phases</p>	<p>Describe the types of disasters and their phases and how they are categorized (emergency, activation, initial response, recovery...):</p> <ul style="list-style-type: none"> • Slow onset: during which the host country applies its regular trade and customs procedures • Rapid onset: in which the relief effort needs to be supported with fast-track type trade and customs procedures 	<p>Trade Facilitation Consulting Ltd GS1</p>

	<ul style="list-style-type: none"> • Recovery phase: the point at which the host country may reapply its regular trade and customs procedures • The minutes from the April 24/26 meetings indicate under 2.e that there may be “complex emergencies” and asks if those should be included in the scope. What constitutes a “complex emergency” and does such an emergency need to be described under 2.ii. Can an emergency become complex somewhere along the disaster phase or is it complex from the start? • I understand the advantages and even necessity to categorize the emergency, but is there an operational risk in defining the lines of categorization sharply (Section 3)? • Supplementary information: Types of humanitarian responses²: <ul style="list-style-type: none"> ○ <i>Complex emergencies</i> A humanitarian crisis in a country, region or society where there is total or considerable breakdown of authority resulting from internal or external conflict and which requires an international response that goes beyond the mandate or capacity of any single agency and/or the ongoing United Nations country program (IASC, 1994) ○ <i>Disasters connected to natural phenomena and to health crises in non-conflict settings</i> Includes all crises in which natural processes (geological, hydrological, meteorological or biological) play a significant part in increasing mortality, disease morbidity and damage to livelihoods, and where these effects are not compounded by war or widespread armed violence. ○ <i>Refugee and migration situations</i> All situations in which large-scale movement across national borders has occurred, and where people – refugees, asylum-seekers or other categories of international migrant – are in need of international humanitarian assistance and protection. • Disaster phases 	Global Express Association OCHA
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² As categorized in State of Humanitarian System Report 2018

<p>iv. Specification of relief items</p>	<ul style="list-style-type: none"> Itemize and describe the type of relief items usually needed by category of disaster and disaster phase, including providing the HS code. Enable the possibility to identify which items are available or manufactured domestically. 	<p>Global Express Association</p>
<p>v. Prioritization</p>	<p>Actors and supporting systems that enable governments to approve relief consignments that have been identified as high priority:</p> <ul style="list-style-type: none"> Is this linked to customs fast tracking of relief cargo? If so I suggest to change this to Customs Conditional Release Fast tracking (This is where cargo will be released ASAP / within 24HRS on condition that the Importing agency will formalize the paper work with a specified period. Some have suggested to us that there may be a case for customs authorities in the country of export to provide some form of pre-processing, e.g. acting on behalf of the host country to help prioritise the goods and maybe also help take care of some of the import clearance controls before the goods arrive. Improve information sharing about what is needed. Quote: 'Greater coordination between donors would help reduce unnecessary and unsolicited shipments, thus reducing the impact on overwhelmed border agencies' This is better placed in Principles section 	<p>MSF Belgium Trade Facilitation Consulting Ltd Global Express Association</p>
<p>vi. Paper based processes vs use of information systems</p>	<p>The importance of planning paper-based mechanisms to facilitate humanitarian goods in the response phase, as well as how information systems can support both preparedness and response:</p> <ul style="list-style-type: none"> The ability to accept standard trade and customs documents is really important (reformatting documents to meet country specific requirements wastes time) 	<p>Trade Facilitation Consulting Ltd UNCTAD</p>

	<ul style="list-style-type: none"> • Permit use of documents adhering to international standards (e.g. standard shipping documents, commercial invoices, etc) • Development of a Business Continuity Plan and One-Stop-Shops <ul style="list-style-type: none"> ○ Customs administrations, working in coordination with other relevant government agencies as appropriate should create a Business Continuity Plan (BCP) for allowing the continuity of activities in case of failure of the IT systems (Customs and Single Window): <ul style="list-style-type: none"> - Unavailability of Customs IT system when <u>lodging the Entry Summary Declaration</u> - Unavailability of Customs IT system <u>upon arrival of means of transport and goods</u> - Unavailability of Single Window system when <u>applying for LPCOs required for the entry</u> • Recommendation for setting up a One-Stop-Shops at Designated Customs Offices of Entry (Border Crossing Points): <ul style="list-style-type: none"> - A One-Stop-Shop is a physical location where all agencies involved in the clearance of humanitarian relief consignments have representative offices. Humanitarian operators will be able to perform all of their procedures within the same physical location. - National Customs administrations, NDMA's and CBRA's involved in the clearance of humanitarian relief consignments should coordinate and publish in advance the Business Continuity Plan, including the list of Designated Customs Offices of Entry where One-Stop-Shops will be created during an Emergency and/or unavailability of Customs IT systems - National Customs administrations, NDMA's and CBRA's involved in the clearance of humanitarian relief consignments should agree on paper-based procedures to be followed in cases where their systems are not functioning 	
<p>3. New workflows for emergency relief</p>	<p><i>(all sections here to cover both paper-based and systems-enabled scenarios)</i></p>	
<p>i. Process rules based on disaster phases</p>	<p>Define different exemption and processing rules for the different response phases <i>(example matrix to be attached)</i>:</p> <ul style="list-style-type: none"> • <i>An issue some interviewed informants complained about was that when they assign goods over to other parties who are able to benefit from preferential customs treatment, they are likely to lose control over those goods and subsequently are less likely to recover (ie reexport) any goods that have not been used. A possible solution to this might be to encourage taking title to the assigned goods to maintain some sort of document trail to enable them to assign relevant goods back, if need be.</i> 	<p>Trade Facilitation Consulting Ltd</p>

<p>ii. Registration of humanitarian disaster relief actors</p>	<p>Simplified process for registering humanitarian preferably prior to a disaster, actors as approved humanitarian operators to provide disaster relief, including in preparedness and disaster response. Note: scenarios to consider NGOs, UN Agencies, INGOs and other eligible humanitarian actors:</p> <ul style="list-style-type: none"> Actors already registered in the country. Actors who worked in the country before and left Actors only arriving in the Onset of response. Each of our three cases benefit from special authorizations and have a good track record with the customs administration in which they are located. Slowly, countries are beginning to sign-up to mutual recognition agreements that extend the operational benefits that such trusted organizations benefit from one country to the next.⁴⁸ It would be good if that extension of benefits could also address the specific needs of operators within the humanitarian sector Approved NGOs could be registered via the LEI as an authorised global legal entity identifier. The LEI has been introduced by the G20 for regulatory purposes and is a recognized identifier in the financial industry. LEIs can be looked up by anybody for free in a public database (www.gleif.org). Many NGOs already have LEIs. LEIs can be extremely useful in identifying the NGO participating in the emergency relief effort, it may help with customs (it is required by customs in some small countries already), and it is extremely useful for tracking any financial flows (section 3.v and 3.x). It would also be useful for all AEOs to have an LEI (section 3.viii) If mapped together with a GS1 Global Location Number (GLN), one could further identify emergency locations of NGOs, such as temporary food kitchens, hospital tents, etc. Is disaster relief limited to providing humanitarian aid? Why not call them operators approved to provide disaster relief? Regarding ‘continuously in place’: Does this mean the actor is established/located in-country? Permanently? Is this a necessary aspect for providing relief? Suggest to delete this. <ul style="list-style-type: none"> It was agreed that registration needed to consider ‘Pre-disaster Registration’ as well as Post-disaster Registration for new actors. The SAFE/AEO authorization framework is one possibility for Pre-disaster registration, however should not be the key recommendation as it is not suitable for all NGOs. There is the possibility of allowing NGOs to receive AEO authorization or have specialized private AEO brokers available for the humanitarian community to commission. A simplified pre-disaster registration process that allows waiver certificates to be issued in advance and ideally lasts for up to a year is the ideal scenario for INGOs. <p>Authorized Economic Operators (AEOs) Understand how AEOs can fit into the importation of emergency relief process:</p> <ul style="list-style-type: none"> Simplified or special arrangements for AEO authorized donors as well as any intermediaries acting on their behalf Expanding the Concept of Authorized Economic Operator (AEO) to humanitarian organisations 	<p>MSF Belgium Trade Facilitation Consulting Ltd GS1 Global Express Association</p>
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	<ul style="list-style-type: none"> AEO – the smooth flow of goods can be enabled through the use of unique identification of consignment (UCR), container seal, and the full tracking of container movement with data standards and exchange of data through a visibility platform sharing the supply chain events with border agencies, for increased integrity and trust in the supply chain, ensuring light touch inspection and faster border clearance. 	
iii. Temporary Admission	<p>Specific considerations for temporary admissions</p> <ul style="list-style-type: none"> Type of goods pre-identified and the related process (Before, During & After) TIR convention is one vehicle; other vehicles that could be worth exploring might be to put in place simplified customs procedures where goods are held under customs control (e.g. customs warehousing, temporary import, etc) 	MSF Belgium Trade Facilitation Consulting Ltd
iv. Transit	<p>Specific considerations for transit consignments:</p> <ul style="list-style-type: none"> Land locked countries (no sea access) what are the extra considerations with neighbor states? Potential transit states/ countries that impact the landlocked countries. Transit storage options & Period considerations; <ul style="list-style-type: none"> Is the capacity in the current able to cope with the influx of humanitarian cargo? Are the facilities adapted to the nature of humanitarian cargo (Cold chain etc?) If none of the above, what are the options GDP aspects. 	MSF Belgium
v. Pre-export inspection (Pvoc) exemption	<ul style="list-style-type: none"> Note: Some countries have this procedure. It will be good to recommend to member states to have ultimate exemption to relief materials in the event of onset disaster response. 	MSF Belgium
vi. Cross border regulatory agencies	<p>Pre-incident and post-incident mechanisms for cross border agencies to coordinate and collaborate:</p> <ul style="list-style-type: none"> Experience shared from Republic of Armenia advocated for the establishment of an Inter-agency Working Group at entry points. 	
vii. Cargo handling Equipment's & Cargo storage facilities prior to customs release	<ul style="list-style-type: none"> This is a big issue that can lead to delays even when the paper process is quick (Lack / limited fork lifts etc) What are the options to scale up available? <ul style="list-style-type: none"> GDP aspects Can pre-approved actors be allowed to manage cargo directly at "owners" premises? If facilities not functional or over stretched. 	MSF Belgium
viii. Licensing	<p>Availability of longer-term import licenses instead of individual import license requests requirements per relief consignment:</p> <ul style="list-style-type: none"> Where economic import (export) prohibitions or restrictions cannot be waived, a global license or permit, valid for multiple shipments and for the entire duration of emergency, should be granted 	UNCTAD

<p>ix. Customs Warehousing In-situ</p>	<ul style="list-style-type: none"> This is a process where a clearing agent/ Actor applies to store goods which are still under the custom control at the importer’s premises or stores. This can be a remedy in case there no facilities or facilities not adapted to the nature of relief goods. This is highly likely in a disaster and needs to be anticipated. 	<p>MSF Belgium</p>
<p>x. Communication of Customs Import procedures, dedicated contact points and experts</p>	<p>Communication of all relief relevant importation procedures for relief items available to domestic and international responders:</p> <ul style="list-style-type: none"> “Effective & Timely consistent customs procedures. Sometimes you have different actors being given different process/ procedures and sometimes the official communication is not channeled to all stakeholders (HQ to different customs entry points) What are the available platforms for Actors to access the information and to give feedback to the authorities? One idea put to us was a special information sharing database containing information about reputable customs brokers, applicable procedures, etc One other idea put to us was to encourage all countries to make sure that suitable information about trade and customs procedures for the humanitarian sector are published on the country’s national trade information portal Ensure that administrations offer dedicated contact points - it was explained by several interviewees that their humanitarian relief operations could be greatly assisted if they had a dedicated contact person within the customs administration of the host country Publish directories with the contact details of customs experts and practitioners. Quote: ‘Customs is a black hole; [I] do not know any specialists. In some countries, the right person can wave a magic wand [and the problems disappear], in other countries it is just too complicated [and I] need to verify the advice given [by the local enthusiastic amateur]’. ‘A directory or database of qualified and experienced professionals [to assist me] could be very helpful’. 	<p>MSF Belgium Trade Facilitation Consulting Ltd</p>
<p>xi. Customs Relief taskforce and/or National customs response working groups</p>	<p>Consider setting up a relief taskforce with key staff from all relevant border agencies and the use of additional Customs staff at key border crossing points in immediate response to support the influx of approvals and consignments:</p> <ul style="list-style-type: none"> <i>Dedicated contact person(s) would be useful to assist donors as well as officials that are not suitably experienced to deal with the sudden influx of goods within a sudden onset type scenario</i> <i>[There is a potential to use external actors to support approvals and documentation review at one-stop shop]</i> 	<p>Trade Facilitation Consulting Ltd MSF Belgium</p>
<p>xii. Optional use of Customs brokers</p>	<p>Guidelines for the optional of Customs brokers instead of or opportunity for self-clearance by pre-registered NGOs Build/publish databases and directories containing contact details</p> <ul style="list-style-type: none"> The use of customs brokers should not be made mandatory. Self-clearance by pre-registered NGOs should be one of the policy options. Perhaps the compact language on the left-hand column does not reflect that as clearly as it should. 	<p>Trade Facilitation Consulting Ltd Global Express Association</p>

<p>xiii. Standard operating procedures</p>	<p>Documentation of end to end procedures for receiving international emergency relief consignments, including temporary admissions and specialist items such as telecommunications equipment, vehicles, medicines:</p> <ul style="list-style-type: none"> • Visual process mapping defining what each agency/ will do or does, who is responsible, to what standard a business process should be completed, and how the success of a business process can be determined • This visual mapping can facilitate gap analysis, identify unnecessary /non-value adding steps and measure the process time wise! 	<p>MSF Belgium</p>
<p>Including:</p>	<ul style="list-style-type: none"> • Some of the points (c & d in particular) below assume that there is electricity, working computers and open communication lines. As such, they are a best-case scenario and arguably not the most realistic one. Points e) and following should not be made conditional on the availability of c) and d). Somehow b) should be possibly presented as an alternative to c) and d), arguably as the most likely method to be used in these situations. A disaster situation calls for compromises: perfect control vs speedy delivery of disaster relief. 	<p>Global Express Association</p>
<p>a) Duty, tax and fee exemptions</p>	<p>Clear and concise processes and procedures on applicability and attainment of duty, tax, and fee exemptions:</p> <ul style="list-style-type: none"> • Customs administrations should ensure that clear information is being published regarding whether a waiver of import duties, taxes and fess is applicable to certain categories of humanitarian relief items • The information provided by Customs administrations should include clear indication regarding the emergency phase when this waiver is applicable, and the conditions associated with the waiver <ul style="list-style-type: none"> • Tax exemptions should include all cross border agencies involved not just Customs. 	<p>UNCTAD</p>
<p>b) One stop shop / paper-based alternatives</p>	<p>Enable a physical one stop shop to be set up at a key importation hub that implements paper-based system and facilitates approvals:</p> <ul style="list-style-type: none"> • <i>Arguably, this will be the most frequently used procedure in the early stages of a disaster</i> • It should be made as simple and predictable as possible • All actors, especially border agencies, should be informed as soon as they are established, and exercises conducted without waiting for disaster to strike before they are put in practice. They should represent an adequate balance, a compromise even, between an adequate control of the border (which won't be at the level of normal times) and allowing speedy delivery of relief shipments. • Maybe setup in another country? 	<p>Global Express Association</p>

<p>c) Pre-arrival information from humanitarian actors</p>	<p>Enable pre-arrival information, data elements and documents to be submitted by humanitarian responders:</p> <ul style="list-style-type: none"> • It was put to us that administrations in the countries of origin could provide a supporting role – e.g. by assisting the import clearance process before the goods arrive <p>Legal framework for Advance Electronic Data</p> <ul style="list-style-type: none"> • A legal and regulatory framework should be established for requiring advance electronic exchange of data between relevant parties involved in movement and facilitate the pre-arrival processing and risk management of the consignments based on advance electronic information. • Advance electronic data should be exchanged between the relevant humanitarian actors and Customs administrations in a timely manner. • Data elements required for pre-arrival processing and release of humanitarian consignments • Reuse of a unique dataset for multiple purposes (e.g., safety-security risk analyses and checks, as well as clearance) • Customs administrations should specify the reduced list of data elements required to provide for immediate release of humanitarian consignments under each category. The list of such data and other requirements should be published and made available in accordance to the principles set out in Chapter 9 of the General Annex of the Revised Kyoto Convention and the Article 1 of the WTO Agreement of Trade Facilitation. <p>Prior informed consent (PIC) mechanism</p> <ul style="list-style-type: none"> • The National Disaster Management Authority (NDMA) or another designated organization by NDMA may act as a consignee for humanitarian relief items. • Where the NDMA will act as a consignee, the NDMA will be responsible for receiving and giving acceptance/rejection decisions on whether the country wishes to receive the humanitarian relief items. • The Prior Informed Consent (PIC) mechanism will create legally binding obligations and protect countries from unwanted imports of humanitarian relief items in particular by imposing export obligations on exporting Parties (organisations acting as consignors and Customs authorities) • Time limits for submission of pre-arrival/pre-departure information – where the national legislation requires for the mandatory submission of pre-arrival/pre-departure information, this requirement should be waived, or time-limits should be reduced for humanitarian relief consignments to minimum <ul style="list-style-type: none"> • We should ensure consistent use of terminology. Actors vs. responders. 	<p>Trade Facilitation Consulting Ltd UNCTAD Global Express Association</p>
<p>d) Early risk management & targeted inspection</p>	<p>Enable early risk management and targeted inspections based on pre-arrival submissions</p> <ul style="list-style-type: none"> • Customs administrations should develop and apply risk management techniques that are specific to the humanitarian aid context to identify shipments that present a risk. • Use of pre-arrival risk management based on advance electronic data 	<p>UNCTAD</p>

e) Immediate release	<p>Enable mechanisms whereby pre-approved relief consignments are immediately released</p> <ul style="list-style-type: none"> • Provided all the necessary information is submitted electronically to Customs administrations, all consignments assessed as low risk should be released either immediately upon arrival or after a specified time after arrival of the goods • Data elements required to provide release of consignments - Customs administrations, based on national legislation and other requirements, should specify the minimum, reduced list of data elements required to provide for immediate release of humanitarian relief consignments • Provide for release based on a single submission of information - reuse of a unique dataset for multiple purposes e.g. use of Entry Summary Declaration as a Simplified Declaration to release the goods upon arrival • In case of humanitarian relief consignments. Customs administrations should make efforts to reduce the differences in data requirements standards among the sending, receiving and transit countries 	UNCTAD
f) Subsequent clearance	<p>Enable appropriate Customs formalities to be finalized after goods are release where final classification of the goods, assessment of value and other transactions are pending:</p> <ul style="list-style-type: none"> • By providing a list of relief items with their HS codes and providing duty/tax exemption, the separation of release from clearance for relief items should not be required as release and clearance should take place simultaneously. 	Global Express Association
g) Simplify / harmonize procedures	<ul style="list-style-type: none"> • Permit invoice declarations Quote: 'I deem that [copies of] the commercial invoice, cargo manifest, and packing list would be enough'. There should be no need for separate customs documents that contain the same or similar information that has already been provided in the supporting commercial documents • It was highlighted that customs' specifications for commercial invoices often differ between the exporting country and the importing country. This creates operational difficulties. Greater harmonizations and standardization for supporting customs documents is desired. 	Trade Facilitation Consulting Ltd
4. Integrate emergency relief into ongoing operations		
i. Capacity building	<p>Simulation and training exercises to enhance readiness and test standard operating procedures:</p> <ul style="list-style-type: none"> • The best laid cross border policies and procedures can be undermined upon emergency onset by NGO staff's and customs officials' lack of knowledge of regulations, applicable exemptions, reluctance to cooperation, or perceived authority. This is why capacity building is key for effective and timely cross border operations. • Likewise, the success of any capacity building efforts within customs authorities depends on both high-level political will and commitment and the engagement and ownership at all subsequent levels. 	Help Logistics Trade Facilitation Consulting Global Express Association

	<ul style="list-style-type: none"> • According to the World Customs Organization, “High-level political commitment should be regarded as a prerequisite or fundamental criterion for determining whether to support and fund capacity building activities in Customs.” • High level commitment will result in the allocation of appropriate human and financial resources and signal to all levels of customs commitment to facilitating the flow of relief items at the time of emergency. • Process ownership and engagement of customs officials can be attained by including them in the design, delivery, monitoring and evaluation of capacity building efforts • Customs officials must familiarize with the operational requirements of different stages in the disaster life cycle and appreciate the urgency and importance of facilitating import, and practice better balance between control and facilitation. • This appreciation can be gained by designing table top exercises, simulations, and live drills based on a country’s most likely scenario to cover the first 15 days of disaster onset. • Stakeholder mapping should be conducted to identify relevant stakeholders and clarify roles and responsibilities of each stakeholder in the importation of humanitarian aid • SOPs should be drafted together with relevant stakeholders and regularly reviewed • To simulate reality, the drills would include all relevant entities involved in the importation, temporary admission and transit of relief items including multiple NGOs, customs authorities, relevant government bodies such as ministries of finance, health, foreign affairs, commerce, agriculture, planning, NDMAs, police and military, and any cross border, regional, and UN coordinating bodies or agencies involved in border management • Simulation and drill injections can be designed to cover pre-registration of commodities, pre-arrival clearance, applying exemptions, temporary admission, and prioritization of aid. • In addition to knowledge transfer, capacity building can focus on skill sets related to planning, coordination, leadership, and should not exclude counter fraud and corruption training in high pressure emergency settings • Better training and support for customs officers: Quote: ‘[Officers] do not want to be a problem but are [...] and [they are] unsure how to handle the sudden influx of goods into their port. Special procedures are not put in place, or there is little or no support from more senior officers [in the capital]’. The solution would be to give officers at the ports and borders higher levels of authority, which in turn would require better training and guidance from the head office • See point above on paper-based one-stop shop procedures 	
<p>ii. Pre-assessment of entry / access points</p>	<ul style="list-style-type: none"> • Understand possible access routes depending on different scenarios and map contact points/strategies for each entry point E.g. airports, airstrips, warehousing possibilities based on scenarios, cold chain facilities etc. 	<p>MSF-Belgium Trade Facilitation Consulting Ltd</p>

	<ul style="list-style-type: none"> In some countries, border controls do not only take place at the ports or the national frontier; they also take place between states and federal territories. These can be equally challenging and appropriate measures to mitigate their impact are needed 	
iii. Business continuity plan	<p>Integration of emergency response process into Business Continuity Plans</p> <ul style="list-style-type: none"> Development of a Business Continuity Plan - Customs administrations, working in coordination with other relevant government agencies as appropriate. A Business Continuity Plan (BCP) should be created for allowing the continuity of activities in case of failure of the IT systems (Customs and Single Window) e.g. <ul style="list-style-type: none"> Unavailability of Customs IT system when <u>lodging the Entry Summary Declaration</u> Unavailability of Customs IT system <u>upon arrival of goods</u> Coordination with neighboring countries <ul style="list-style-type: none"> joint contingency plans and emergency communication mechanism should be established joint use of infrastructure, efficient exchange of information If/where possible, separate control lanes have to be established for humanitarian goods 	UNCTAD
iv. HS codes	<ul style="list-style-type: none"> Our research suggests that some EU member states have a dedicated HS codes for humanitarian goods (ie everything is classified under the HS Heading 9919); this makes tariff classification for exports out of the EU where this HS Code is recognized much easier. Greater use of a single HS code for relief shipments may also be a solution for simplifying import declarations. Others in our research suggested that it would be a good idea to provide a list of commonly used customs tariff classifications (e.g. blankets, shelter, etc). that list could then be shared across the humanitarian community and thus saving them the expense of having to consider the more complex customs tariff publications Where appropriate, Customs administrations should introduce simplified requirements regarding classification of humanitarian relief items (e.g. by using chapter 98 or 99) Explore the potential to use standardized, digitized systems already in place among industry, by of incorporating industry product identification and classification systems. This would enable accurate classification and clear identification for more efficient operations for users as these systems would already be in active use for majority of industry supply chains. This could include VIN, CAS, GTIN, GPC, UNSPSC, UDI etc. depending on the use case. By using industry systems there will also be increased access to clear labelling and standardized exchange of data throughout the supply chain, and potentially including at the border. This may negatively affect the ability to conduct pre-arrival risk assessment. Rather, the setting up of relief items as suggested under section 2 new iv. Including their HS codes will enable a rapid importation process. Where a list of items is established as eligible for special clearance in case of a specific disaster (flood, or earthquake, or fire, etc), HS codes should ideally be based on WCO standards, not going beyond 6 (?) digits. Again, a broad classification that avoids minute detail is preferable to one that takes into account a country's sub-classifications in minute detail. 	Trade Facilitation Consulting Ltd UNCTAD GS1 Global Express Association

	<ul style="list-style-type: none"> These are two approaches and not necessarily compatible: whether to list items that can enjoy special clearance process during an emergency or use a special HS code for a whole series of goods. Arguably the former will be easier. 	
v. Unique Customs regime code for humanitarian cargo	<ul style="list-style-type: none"> HS code is linked to individual items and is global however, the customs regime code will be a unique customs code assigned to humanitarian cargo that actors/ their appointed forwarding agents will encode in the customs software to make a distinction between commercial cargo & humanitarian cargo. 	MSF Belgium
vi. Information systems / Single window	<p>Implementation of single window platforms to facilitate consignment approval workflow:</p> <ul style="list-style-type: none"> When implementing single window, consider the option to link with existing industry data bases to give border agencies access to accurate and detailed information that can be associated with the physical goods. Added granularity in information will make admission decisions faster, and more accurate. Single Window information (in ASYREC) should be based on as many <u>global</u> identification and communication standards as possible. This includes the applicant's and recipient's information data as well as the identification of the consignment goods. This is difficult enough in normal times and would be a massive challenge in an emergency. It should be specified as a long-term wish. 	GS1 Global Express Association
5. Context specific considerations		
i. Considerations for specific contexts	For example, landlocked countries, high risk of environmental or complex emergencies, economic considerations etc	
6. Summary of policy implications	<i>(This may be later integrated into Part 1)</i>	
i. Policy recommendations	Complete summary / list of policy recommendations	

Other comments or suggestions:

MSF Belgium:

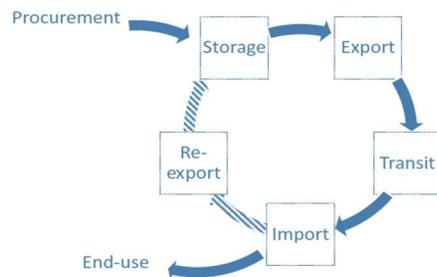
- Some countries already have disaster management policies written (not sure they consider customs implications!), in terms of implementation, one step could be to look at what is already existing in different contexts (support on improvements and take some good examples).

- Take into consideration regions with functional regional economic blocks or even customs unions e.g. Customs Union - East African Community. Policy recommendations through these blocks has a wider regional impact since there is already on going harmonized of customs procedures' in member states.
- Simulations of possible scenarios that will enable all actors to check level of readiness needs to be recommended especially in the high-risk countries.
- Post disaster response (Capitalization/ lessons learnt & Recommendations to be shared by Actors to the different national authorities). What is the best way to do this if it's relevant?

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- Key points to consider is that the Relief Chain touches upon customs at all stages – from procurement to storage/positioning to export to Transit to import to End-use and to Re-export where goods are returned. It thus may be worth considering a suite of recommendations specific for each of the stages, but recognizing that some might cut across all three (e.g. those relating to standardized documents, special treatment for trusted operators, etc)

Figure 1 The Relief Chain: A Customs Perspective



- Other recommendation put to us in our research:

Permit retrospective corrections	Quote: 'Everybody [who deals with customs] can make a mistake [retrospective corrections to customs declarations should be made easy]'
Streamline all the non-customs procedures	Procedures enforced by other, non-customs agencies are plentiful, both in the country of export and the country of imports. Examples include special licensing requirements for the export and import of medicines, products of plant origin (e.g. wood packaging), goods subject to strategic export controls (e.g. body armour), and proof of origin. Compliance with the necessary requirements can be time consuming, sometimes very costly – especially if pre-

	shipment inspections are required or where embassies need to endorse (for a fee) relevant documents (including translations). 'Such procedures should be significantly simplified. Exemptions would be ideal, or at least be aligned with customs export procedures'. Several interviewees highlighted the 'one-stop shop' facility of the Philippines as a positive initiative. It enabled importers to visit all relevant border agencies (customs, quarantine, immigration, etc.) in one place and subsequently clear goods without too much delay
The modernization of trade and customs systems	Adopt barcoding and scanning technologies to assist customs clearance in the host country. Quote: 'Everything [in our warehouse] is barcoded to GS1 standards; many suppliers use GS1 compliant barcodes, too' [We] have not yet rolled out barcode scanning to the countries concerned, but it is a possibility worth looking at [in order to improve information accuracy and better integrated operational support from the head-office with the demands on the field – including customs clearance]''
Permit donors to run their own customs compliance systems	One interviewee suggested that donors should be permitted to operate their own customs compliance systems. Effectively collating IOUs ('I Owe You') with a promise to pay any customs duties due as soon as the administration is back up and running
Exemption from customs duties	Although these are often made available in rapid onset type issues, special procedures do not extend to slow onset emergencies during which regular trade procedures apply. Yet, the rationale for collecting duties on essential goods is not always clear. Quote: 'Why do we need to pay taxes? [many of the items we ship would not disrupt the local economy]'
Improved access to airport x-ray machines or exemptions from x-ray requirements	It was highlighted by some of our informants that in a number of European countries there are few airports with suitably large x-ray machines. Quote: 'The development of suitable facilities would be desirable'. An alternative suggestion was that dedicated flights could be exempted from x-ray scanning requirements – as is the case for military operated flights
Improved customs arrangements for exports from military airports	Where humanitarian shipments are exported from military airports, customs procedures may be light or non-existent. This can cause problems where the donor needs proof that goods have been exported – for example, to ensure that no future VAT liabilities arise. [Note: many countries permit exports to be exempted or zero rated from VAT, as long as there is proof that goods have indeed left the country]
Customs training for humanitarian professionals	While some of our interviewees highlighted that within their own organization customs capabilities are strong, we came across other cases that have no customs related expertise at all. It was also highlighted that customs capabilities of partners in the host countries can be poor. The training for such [quote]: 'enthusiastic amateurs would be helpful, even if it is just basic awareness
Combat corruption	Quote: 'Corruption can be rife in some places, and compound delays at the border'. This statement was echoed by nearly all of our informants

Republic of Armenia

- Consider how first responders facilitation fits into the guidelines

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