

PROTOCOL TO ESTABLISH AND IMPLEMENT THE ASEAN SINGLE WINDOW

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic (hereinafter referred to as "Lao PDR"), Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam, Member States of the Association of South East Asian Nations (hereinafter collectively referred to as "ASEAN" or "Member Countries" or individually as "Member Country"),

RECALLING that the adoption of the ASEAN Single Window approach, including the electronic processing of trade documents at national and regional levels, is one of the mechanisms to realise the ASEAN Economic Community by facilitating trade and investment under the Vientiane Action Programme (2004);

NOTING that as a concrete step towards the establishment and implementation of the ASEAN Single Window, the ASEAN Economic Ministers have signed the Agreement to Establish and Implement the ASEAN Single Window on 9 December 2005 in Kuala Lumpur, Malaysia (hereinafter referred to as the "ASW Agreement");

RECALLING that Article 6 of the ASW Agreement mandates Member Countries, by means of a protocol, to adopt relevant internationally accepted standards, procedures, documents,



technical details and formalities for the effective implementation of the ASEAN Single Window;

AFFIRMING that the terms of this Protocol shall be based on the objectives, principles and obligations under the ASW Agreement,

HAVE AGREED AS FOLLOWS:

PART I GENERAL PROVISIONS AND OBJECTIVES

Article 1 General Definition and Interpretation

- 1. For the purposes of this Protocol, the following terms shall be defined as follows:
- a. The ASEAN Single Window (hereinafter "ASW") is the environment where National Single Windows of Member Countries operate and integrate.
- b. The National Single Window (hereinafter "NSW") is a system which enables:
 - i. a single submission of data and information;
 - ii. a single and synchronous processing of data and information; and
 - iii. a single decision-making for customs release and clearance of cargo. A single decision-making shall be uniformly interpreted as a single point of decision for the release of cargoes by the Customs on the basis of decisions, if required, taken by Line ministries and agencies and communicated in a timely manner to the Customs.



- 2. This Protocol shall be read and interpreted in accordance with the ASW Agreement. In the event of any inconsistency between this Protocol and the ASW Agreement, the provisions of the ASW Agreement shall take precedence.
- 3. The Technical Guide of ASW and NSWs Implementation is the compilation of relevant internationally accepted standards, procedures, documents, glossary, technical details and formalities for the effective implementation of the ASEAN Single Window, to be adopted as deemed appropriate by Member Countries. It constitutes the technical guidance of the implementation subject to regular reviews and updates in line with new technology and development as deemed necessary by Member Countries. The Technical Guide of ASW and NSWs Implementation (hereinafter the "ASW Technical Guide") appears as ANNEX 1.
- 4. The Action Plan of ASW Implementation is the schedule comprising activities required, as specified in **ANNEX 2**.

Article 2 Objectives

The objectives of this Protocol are:

a) To provide a legal and technical framework to establish and implement the ASW and NSWs as regional commitments towards the establishment of an ASEAN Economic Community;

b) To strengthen the coordination and partnership among Lead agencies/ASEAN Customs Administrations and relevant line ministries and agencies and economic operators (importers, exporters, transport operators, express industries, customs brokers, forwarders, commercial banking entities and financial institutions,



- insurers, and those relevant to the international supply chain) to effectively and efficiently implement the ASW;
- c) To encourage participation of economic operators to the implementation of the ASW and NSWs; and
- d) To provide technical, functional and operational guidance for the implementation of the ASW and NSWs in Member Countries as set forth in the ASW Agreement, taking into consideration the ASW Technical Guide.

PART II SCOPE AND COVERAGE

Article 3 Scope of Application

Provisions under this Protocol shall apply for the establishment and implementation of the ASW and NSWs at regional and national levels, respectively.

Article 4 ASEAN Single Window Model

- 1. The conceptual ASW Model appears in the ASW Technical Guide.
- 2. The ASW shall operate in an open environment of required relationships and linkages between economic operators and governments, for a completion of a transaction, such as Government-to-Business, Business-to-Business, or Government-to-Government, and others of such nature, through a secure infrastructure.



Article 5 National Single Windows

Member Countries shall develop and implement their NSWs based on international standards and best practices as established in international agreements and conventions concerning trade facilitation and modernisation of customs techniques and practices.

PART III TECHNICAL ASPECTS OF THE ASEAN SINGLE WINDOW AND NATIONAL SINGLE WINDOWS

Article 6 Documents and Formalities

- 1. Documents and formalities that shall be used in the ASW system by Member Countries comprise, *inter alia*, the following:
- a) ASEAN Customs Declaration Document as endorsed by ASEAN Directors-General of Customs, as in **ANNEX 3**;
- b) Commercial and transport documents for the release and clearance of goods and commodities by Customs Administrations as stipulated in national laws and regulations of Member Countries, as appropriate;
- c) Formalities and documents required by national laws and regulations for the release and clearance of goods and commodities by Customs Administrations as stipulated in national laws and regulations of Member Countries, as appropriate; and
- d) Other formalities as stipulated by national laws and regulations and international conventions where relevant.



2. The format of documents and formalities for the purpose of NSW systems shall be determined by the respective national competent authorities in line with international standards.

Article 7 Data and Information

- 1. Data and information, including regulatory information, for the purpose of a single submission, of a single and synchronous processing and of a single decision making shall be submitted, collected and processed in an agreed format and transmitted through secured channels and in established communication and interface protocols as defined by Member Countries.
- 2. For the purpose of the ASW and NSWs, Member Countries shall, as deemed appropriate, align data and information parameters, for customs clearance and release, to the World Customs Organization (WCO) Data Model and relevant international standards.
- 3. Bilateral or regional arrangements among Member Countries for the exchange and sharing of data and information for the ASW shall be encouraged.
- 4. The access to, exchange, use, legal validity, and confidentiality of data and information in the framework of the ASW are subject to the national laws and regulations of the respective Member Countries.



Article 8 Applications of Information and Communication Technology

- 1. The NSWs shall make use of the appropriate technology with open architecture based on international standards and technical advancements in areas of information and communication technology and data processing.
- 2. The implementation of the NSWs shall make use of international standards of data and information processing and management, such as the United Nation Electronic Data Interchange for Administration, Commerce and Transport (UN/EDIFACT), Extensible Mark-up Language (XML), American National Standard Institution X.12 (ANSI X12), RosettaNet or others relevant to the implementation of the NSWs.
- 3. The secure infrastructure for the ASW and NSWs shall follow international standards and best practices with features such as confidentiality, data integrity, authenticity and non-repudiation.

Article 9 The ASW Technical Guide

Member Countries shall implement the ASW and NSWs based on the ASW Technical Guide, with the necessary modifications or updates as required by individual Member Countries for effective implementation.



Article 10 Protection of Intellectual Property Rights

The protection of intellectual property rights of technological products and services being developed by Member Countries for the ASW shall be enforced in conformity with the respective national laws and regulations of the Member Countries and with international agreements to which the Member Countries are Contracting Parties.

Article 11 Partnership in the ASW and NSWs Implementation

Member Countries shall strengthen the partnership with the trading community and businesses in the implementation of the ASW and NSWs. Business-to-business initiatives as relevant to the ASW and NSWs shall be encouraged.

Article 12 Mobilisation of Resources for Implementation

Member Countries shall mobilise resources for the establishment and implementation of their respective NSWs, as well as their respective components of the ASW.



PART IV PROCESSES, ROLES AND FUNCTIONS

Article 13 Customs and Business Processes

Customs and business processes are established on the basis of international standards and best practices.

Article 14 Roles and Functions of Line Ministries and Agencies

- 1. Member Countries shall determine the roles and functions of their respective Line Ministries and agencies for the effective implementation and operation of the ASW and NSWs. All Line Ministries and agencies of the respective Member Countries shall support and cooperate closely with their respective Lead agency as determined in the ASW Agreement.
- 2. The respective ASEAN Customs Administrations are ultimate decision-makers for release and clearance of cargo on the basis of timely communicated information, if required, from Line ministries and agencies of respective Member Countries.

Article 15 Action Plan of ASW Implementation

The implementation of the ASW and NSWs shall be in accordance with the Action Plan of ASW Implementation, which may be reviewed or revised as deemed appropriate.



PART V OTHER PROVISIONS

Article 16 Annexes

Annexes to this Protocol are integral parts of this Protocol.

Article 17 Dispute Settlement

The provisions of the ASEAN Protocol on Enhanced Dispute Settlement Mechanism, done at Vientiane, Lao PDR on the 29th day of November 2004, shall apply to disputes arising under this Protocol.

Article 18 Institutional Arrangements

- 1. The Ministers responsible for ASEAN Economic Integration shall meet whenever necessary to review this Protocol for the purpose of considering further measures to improve the development and/or implementation of the ASW.
- 2. The Steering Committee of ASW implementation (ASW Steering Committee) shall be established by the Ministers responsible for ASEAN Economic Integration to monitor and coordinate the implementation of the ASW and NSWs. The ASW Steering Committee shall be led by a high level officer of an ASEAN Customs Administration or of a government agency as designated by the Ministers.



3. The ASEAN Secretariat shall provide technical and secretarial support to the ASW Steering Committee.

Article 19 Mutual Assistance

Mutual assistance among Member Countries shall be promoted for effective and efficient implementation of the ASW and NSWs.

Article 20 Final Provisions

- 1. The provisions of this Protocol may be modified through amendments mutually agreed upon in writing by all Member Countries.
- 2. This Protocol shall be deposited with the Secretary-General of ASEAN, who shall furnish a certified copy to each Member Country.

Article 21 Entry into Force

- 1. This Protocol shall enter into force upon signing.
- 2. Each Member Country shall, upon the completion of its national procedures of ratification of this Protocol, notify the ASEAN Secretariat in writing.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto by their respective Governments, have



signed the Protocol to Establish and Implement the ASEAN Single Window.

DONE on this Twentieth day of December in the Year 2006, in a single copy in the English language:

For the Government of Brunei Darussalam:

PEHIN DATO PADUKA HAJI ABDUL RAHMAN BIN HAJI IBRAHIM

Minister of Finance II

For the Royal Government of Cambodia:

KEAT CHHON

Senior Minister and Minister of Economy and Finance

For the Government of the Republic of Indonesia:

SRI MULYANI INDRAWATI Minister of Finance



For the Government of the Lao People's Democratic Republic:

CHANSY PHOSIKHAM Minister of Finance

For the Government of Malaysia:

TAN SRI NOR MOHAMED YAKCOP

Minister of Finance II

For the Government of the Union of Myanmar:

MAJOR-GENERAL HLA TUN
Minister of Finance and Revenue

For the Government of the Republic of the Philippines:

MARGARITO B. TEVES Secretary of Finance



For the Government of the Republic of Singapore:

THARMAN SHANMUGARATNAM

Minister for Education and Second Minister for Finance

For the Government of the Kingdom of Thailand:

THANONG BIDAYA

Minister of Finance

For the Government of the Socialist Republic of Viet Nam:

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VU VAN NINH Minister of Finance





TECHNICAL GUIDE OF ASEAN SINGLE WINDOW AND NATIONAL SINGLE WINDOWS IMPLEMENTATION (ASW TECHNICAL GUIDE)

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SECTION I: Vision and Perspectives of the ASEAN Single Window

Ultimate Goal

- 1. The ASEAN Single Window (ASW) is a trade-facilitating environment operating on the basis of standardized information parameters, procedures, formalities, international best practices as relevant to the release and clearance of cargoes at entry points of ASEAN under any particular customs regime (imports, exports, and others). It pursues a more accelerated release of cargoes being shipped to, and from ASEAN in order to reduce transaction costs and time required for customs clearance in the region. The ASW should also be seen as part of the global supply chain and of the logistics industry working for the effective realization of the ASEAN Economic Community.
- 2. Development perspectives of the ASW consists of the harmonious collaboration and partnership between Customs Administrations and governmental agencies, and economic agents and operators (e.g. importers, exporters, transport operators, express industries, customs brokers, forwarders, commercial banking entities and financial institutions, insurers, and the like) within the framework of the international supply chain where international transactions take place. The ASW and its National Single Windows (NSWs) operate in the open environment (functionally and technically) that provide further opportunity to operational linkages to other clearance systems of other economies once conditions are ready.

SECTION II: Conceptual and Established Models of the ASEAN Single Window and of the National Single Windows

Conceptual Model of the ASEAN Single Window

- 3. The ASW is the environment where ten NSWs operate and integrate for expediting customs release and clearance. Its functioning bases itself on relationships among economic operators in the form of Government-to-Government, of Government-to-Business, of Business-to-Business or Business-to-Government. It also works in the context of increasing simplification and harmonization of customs procedures and formalities as well as standardization of information parameters to international standards (on the basis of the Revised Kyoto Convention). The ASW applies the most advanced development of information processing (Information and Communication Technology ICT), and integrates itself through a secure networking environment.
- 4. The Conceptual Model of the ASW is as follows:

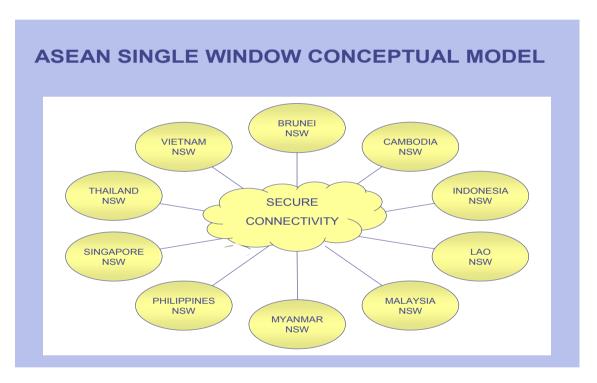


Figure 1: ASEAN Single Window Conceptual Model

In this Conceptual Model, a secure infrastructure is subsumed in a secure connectivity.

5. In a broad concept, the ASW operates in the environment whose features comprise a progressive synchronization and integration of processes and standardized information parameters by related parties (governments and businesses). The conceptual processing and functional relationship in the ASW Conceptual Model is as follows:

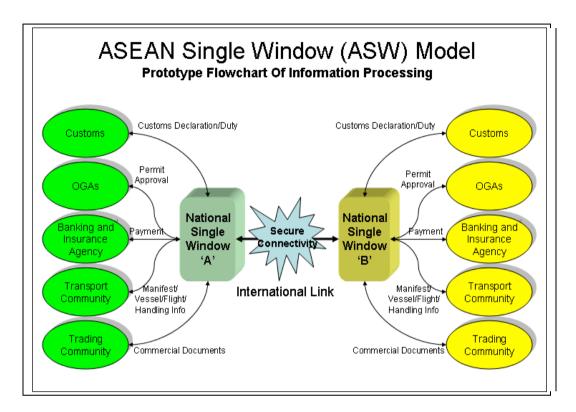


Figure 2: ASEAN Single Window Prototype Flowchart of Information Processing

Concept and Definition of the National Single Window

- 6. The **National Single Window (NSW)** is a system, which enables:
 - a) a Single Submission of data and information;
 - b) a Single and Synchronous processing of data and information; and
 - c) a **Single Decision-making** for customs release and clearance of cargo.
- 7. A single decision-making shall be uniformly interpreted as a single point of decision for the release/clearance of cargoes by the Customs on the basis of decisions, if required, taken by line ministries and agencies and communicated in a timely manner to the Customs. In that sense, the NSW becomes the primary cell and source for the full operation of the ASW.
- 8. The NSW remains as a functional environment with modernizing features of the international supply chain: internationally aligned standards and information parameters, appropriate modernized methods of information administration and processing, and streamlined decision-making by a Customs Administration. It serves to secure a seamless clearance of regulatory requirements by all relevant entities for a free flow of goods and commodities crossing national borders.
- 9. At national level, there are six major areas of coordinated processing of information and data for faster clearance as illustrated in Figure 3. They concern detailed

transactions among Customs Administrations and governmental agencies, and economic agents and operators (e.g. importers, exporters, transport operators, express industries, customs brokers, forwarders, commercial banking entities and financial institutions, insurers, and the like), and the completion of procedures by management authorities in the respective arenas (trade management, duty and tax management, etc.). These areas of information processing within the NSW are:

- a) Customs;
- b) Other Government Agencies (OGAs);
- c) Banking and Insurance Agency;
- d) Transport Community;
- e) Trading Community; and
- f) ASEAN/ International Link.
- 10. The NSW should be the common, neutral, secure and trusted hub for business, industries and government to communicate, exchange and process trade- and logistics-related information for the efficient clearance of goods and commodities. The conceptual model of a NSW is as follows:

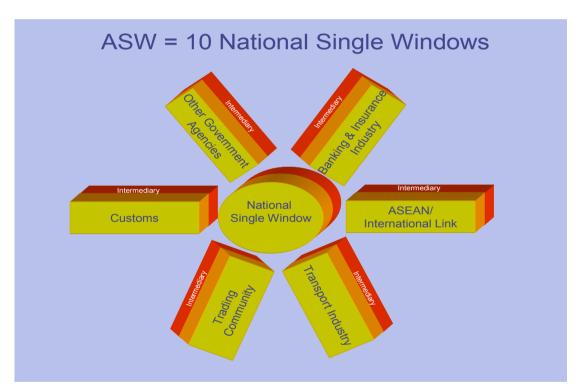


Figure 3: National Single Window Conceptual Model

ASEAN Single Window and National Single Windows for Better Trade Efficiency and Competitiveness

- 11. The ASW and NSWs operate in a more global environment to enhance trade efficiency and competitiveness. They target a better competitiveness for international transactions of regional economies through the following:
 - Standardization of trade related data and information as appropriate;
 - Standardization and alignment of documents and formalities to international standards and conventions;
 - Simplification and standardization of the business flow of processes related to cargo clearance; and
 - Development of a suitable legal framework.
- 12. The ASW and NSWs serve to facilitate trade and investment on the basis of simplification, standardization and modernization of procedures, practices and information parameters as relevant to customs and trade management of the cargo clearance, with the view to achieve more certain and speedier release and clearance of shipments in ASEAN. Their implementation would be achieved through collective efforts by line ministries and agencies, in particular Customs Administrations. In fact, the ASW and NSWs work to promote regional integration for an ASEAN Economic Community through better compatibility and interoperability of functional systems of international trade transaction, trade management (including release and clearance systems) and control by respective stakeholders.

SECTION III: Architecture of the ASEAN Single Window

Applied Methodology in the design of the architecture of the ASEAN Single Window

13. The methodology of analysis and design is based on methods of trade management and those applicable to businesses like Just-in-Time (JIT) and the integration of production, manufacturing, and distribution network taking into account multimodal transport systems. It also uses methods of analyzing ICT applications and languages of management analysis and modeling, as internationally adopted in recent years by international bodies such as the World Customs Organization - WCO (such as the UN/CEFACT Modeling Methodology, WCO Data Model, and its components). A number of revisions to theoretical backgrounds have been made to suit conditions in ASEAN Member Countries.

Functional and Operational Scope of the ASEAN Single Window

- 14. The ASW functions with a streamlined and standardized processing of information (either commercial and/or regulatory) to expedite the clearance of cargoes and shipments. As a strategy, the ASW is seen also as a concrete effort to achieve an average of 30 minutes of shipment clearing time. The functional and operational scope of the ASW covers activities and interaction of six major components: the Trading Community, Customs, Other Government Agencies, Transport Operators, Banking and Insurance Industry, and their linkages to ASEAN/international systems.
- 15. The following are models and methodologies to be referred to:
 - (a) The ASEAN Cargo Processing Model (Diagrams 1 to 8) (adopted by the ASEAN Directors-General of Customs);
 - (b) The ASEAN Customs Declaration Document (adopted in November 2005);
 - (c) The WCO Data Model, the WCO Data Set, the United Nations Trade Data Element Directory (UNTDED);
 - (d) The UN/CEFACT Modeling Methodology (UMM) and the Uniform Modeling Language (UML) for process analysis and functional determination;
 - (e) Other conventions in trade facilitation and topics of relevance to Customs by the United Nations and international organizations.
- 16. The ASW focuses on streamlining operational linkages and procedures to enable a seamless flow of regulatory information and to reinvigorate effective and efficient channels of information among line ministries and government agencies at national level. Improving the intra-agency cooperation and collaboration of government regulatory authorities plays a key role in streamlining management and clearance procedures and practices, and in enhancing the timely communication of information and decisions.
- 17. Other stakeholders comprise the public and trading community, which include

economic agents and operators (e.g. importers, exporters, transport operators, express industries, customs brokers, forwarders, commercial banking entities and financial institutions, insurers, and the like), which require an efficient system and network of information processing to assure that goods under contract reach the end-users timely.

- 18. The implementation of the NSW will put into place the following facilities for a viable customs environment in coming years:
 - (a) A **Single Entry Point** of data capture, data submission, and communication;
 - (b) A **Synchronous Environment** of **Information Processing** and **Sharing** with functional and informational linkages among stakeholders to ensure a seamless validation and clearance of submitted data against regulatory requirements;
 - (c) A **Public Internet Site** to **disseminate** regulatory information in efforts to enhance transparency and voluntary compliance by stakeholders;
 - (d) A **Single Decision Making Process** and **System** undertaken by Customs Administrations;
 - (e) A **Platform** for **dialogue** and **consultation** among government agencies being in contact to provide their respective decisions and information to the Customs for the Single Decision Making to release goods and commodities in time; and
 - (f) An appropriate open **architecture** of **information processing** which aligns to international standards and remains continuously updated to the development of ICT.

Technical Framework of the ASEAN Single Window and National Single Window

- 19. The methodology applicable to the establishment of the Single Window environment (ASW and NSWs) comprises methods of analysis of information and business processes. It also includes methods of design and the establishment of mechanisms to streamline management and clearance procedures on the basis of international best practices. Also, it incorporates other methods to deal with business modeling and business standardization and simplification.
- 20. As a trade facilitation mechanism, the ASW and NSWs incorporate provisions and best practices as set forth in the Revised Kyoto Convention (RKC) and in other related international conventions. Furthermore, the components of the ASW and NSWs are designed in accordance with numerous international recommendations and standards, established by the United Nations Conference on Trade and Development (UNCTAD), the United Nations Economic Committee for Europe (UNECE), and the United Nations Commission on International Trade Law (UNCITRAL), and others.
- 21. As an initial step in the analysis, the ASEAN Customs Administrations undertook in 2004 and 2005 the compilation and analysis of data requirements of Customs Administrations and of line ministries. Subsequently, these data requirements have been mapped to the WCO Data Set in efforts to identify the most suitable approach in applying and synchronizing these standard parameters.

SECTION IV: Business Process Analysis of Customs Clearance in the ASW Environment

- 22. Customs and commercial practices and conventions have been studied and subsequently analyzed in making use of the Uniform Modeling Language (UML) and the UN/CEFACT Modeling Methodology (UMM) for the purpose of the ASW and NSWs. The ASEAN Cargo Clearance Model (adopted in June 2005 by ASEAN Customs Directors-General) was developed on the basis of provisions and recommended practices of the Revised Kyoto Convention. Furthermore, concepts and models applicable in the analysis were mostly based on the UN/CEFACT Methodology ISO/IEC 14662 and other relevant international standards which were recommended by international organizations for trade facilitation.
- 23. Actions and intervention by Customs Administrations, government agencies, and economic agents/economic operators will be categorized as follows:
 - (a) Actions and intervention of commercial nature.
 - (b) Actions and intervention of regulatory nature.
 - (c) Actions and intervention of dialogue and communication nature.

Business Process

24. The business process of a commercial transaction in international trade and investment is of a contractual nature. It starts when expression of interest is communicated from one commercial partner in the importing or exporting country to his counterpart in the exporting or importing country. The international business process completes with the full discharge of obligations by a trading partner to the other as stipulated in their mutual arrangements.

Customs Process

- 25. The relationship between traders and Customs Administrations is initiated when traders lodge required data and information to the Customs. Also, it means the start of the processes of declaration, communication, and dialogue of declared information to Customs Administrations as stipulated by national laws and regulations.
- 26. In lodging the Customs Declaration Document and other documents, as required, with a Customs Administration, traders enter into legal engagements complying with national laws and regulations. One essential source of information needed for control purposes by Customs Administration is the Cargo Manifest.
- 27. Upon receipt and validation of information lodged with Customs Administrations, a proper communication is established with relevant agencies and concerned parties/operators in handling the processing of clearance and release. The process is completed upon the final decision by a Customs Administration for physical release of a shipment.

28. Business Domain View Diagrams (Customs-Customs, Customs-Business, Customs-Government-Business) comprise the following processes as reference based on the UN/CEFACT Modeling Methodology and Uniform Modeling Language.

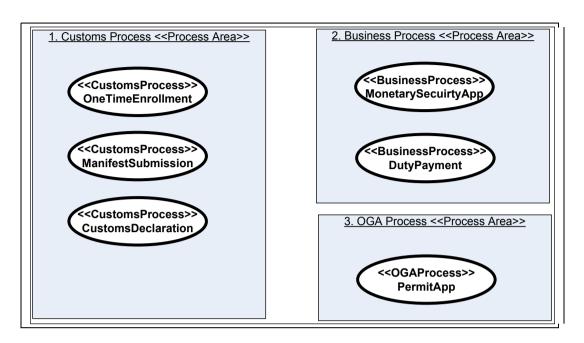


Figure 4: High Level Business Domain Overview

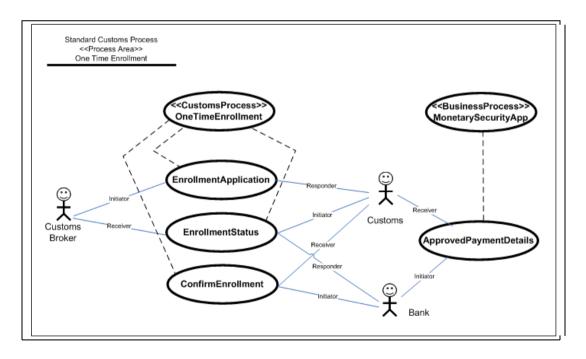


Figure 5: Business Domain Overview for One Time Enrollment

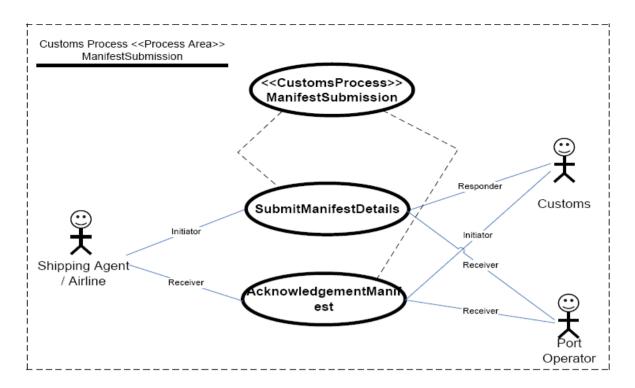


Figure 6: Business Domain Overview for Manifest Submission

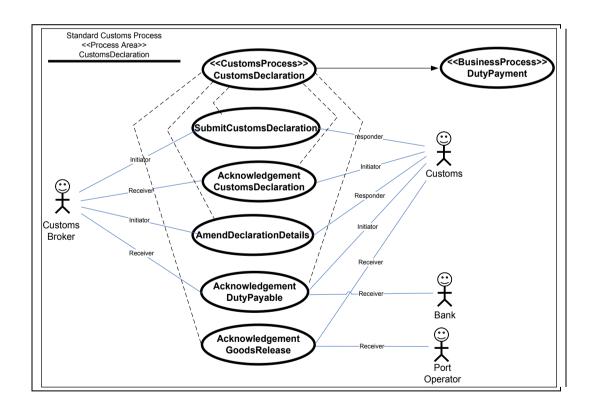


Figure 7: Business Domain Overview for Customs Declaration Submission

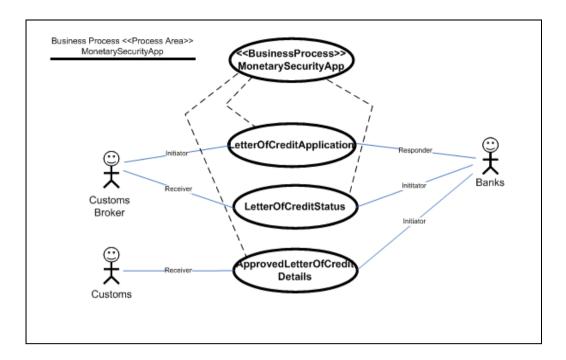


Figure 8: Business Domain Overview for Monetary Security Application

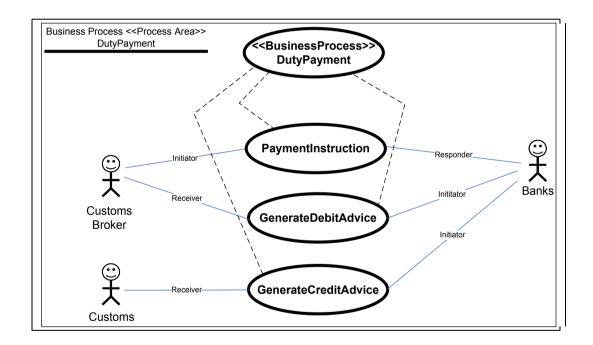


Figure 9: Business Domain Overview for Duty Payment

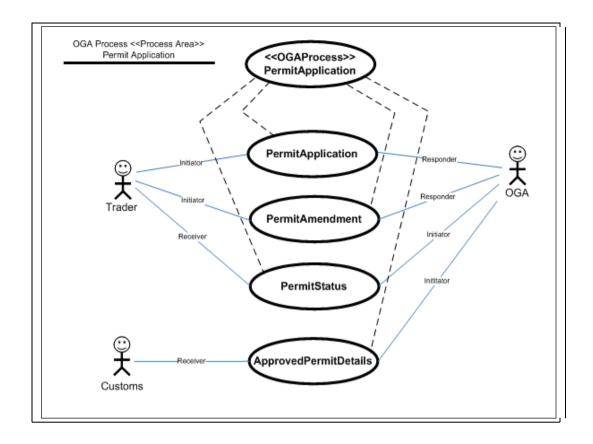


Figure 10: Business Domain Overview for Permit Application

- 29. Diagrams 1 to 8 of the ASEAN Cargo Processing Model describe these relationships among customs stakeholders within the integrated environment for cargo clearance and release. It comprises the following: Imports by Air, Imports by Sea/Land, Export, Transit, Trans-shipment, Bonded Movement of Goods, Warehousing, and Temporary Admission.
- 30. These Diagrams represent the functional relationship of various processes of a customs regime and the communication channels for data and information needed to secure a single decision-making for customs release and clearance. The communication channels enable the linkage between the Customs and related stakeholders to allow for a single decision-making.

Diagram 1: Imports (Air)

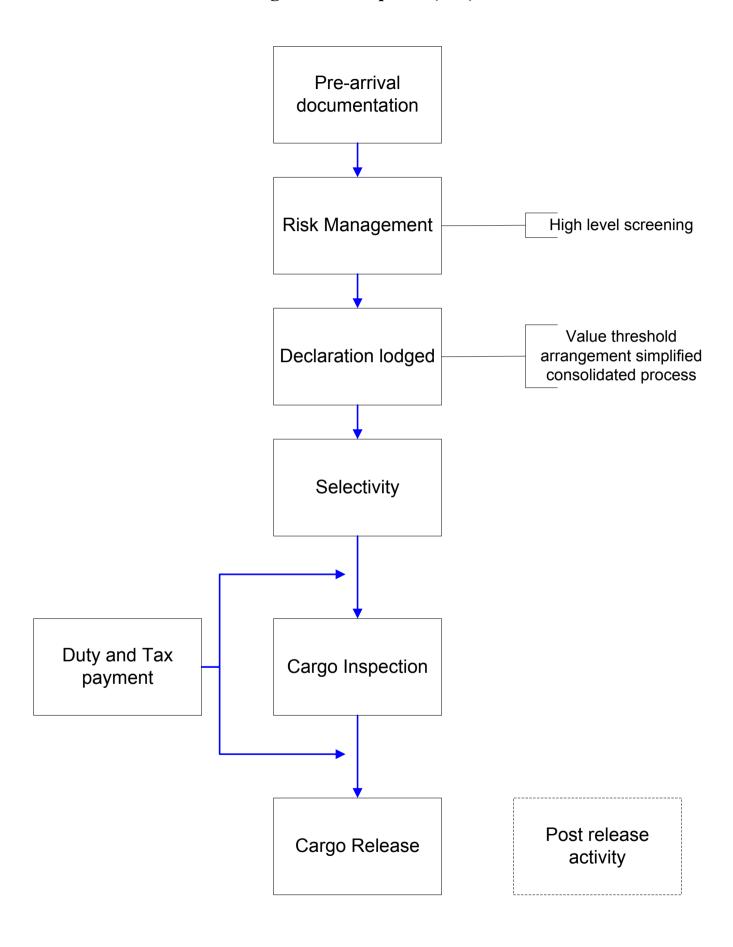


Diagram 2: Imports (Sea/Land)

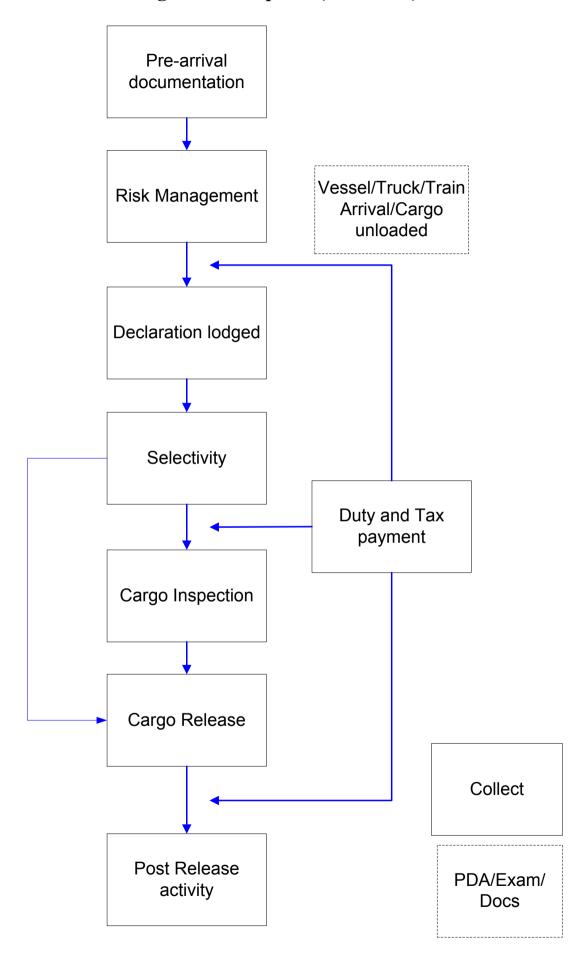


Diagram 3: Exports

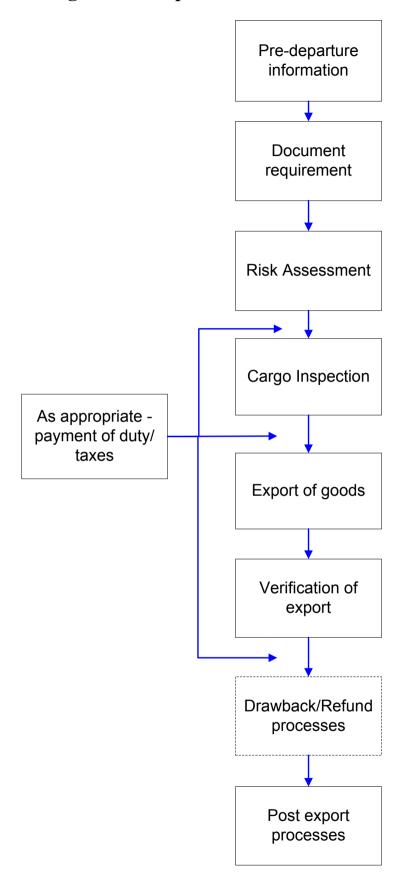


Diagram 4: Transit

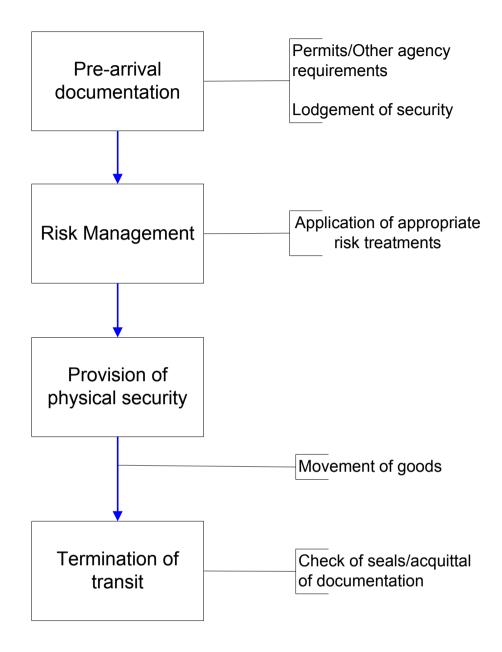


Diagram 5: Transshipment

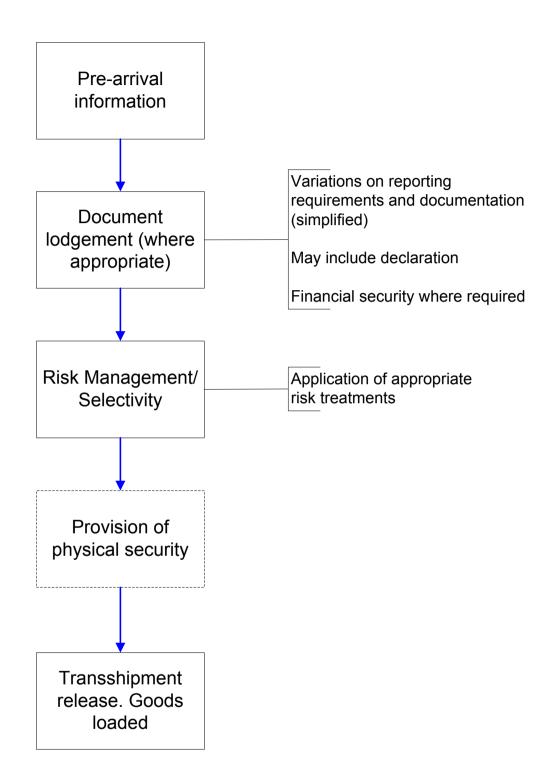


Diagram 6: Bonded Movement of Goods

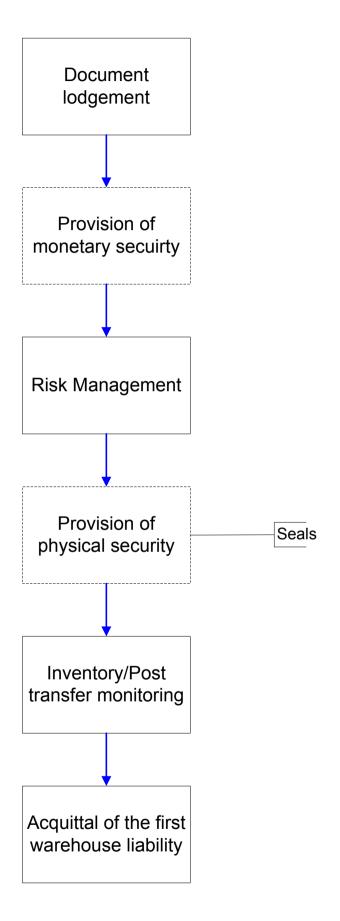


Diagram 7: Warehouses

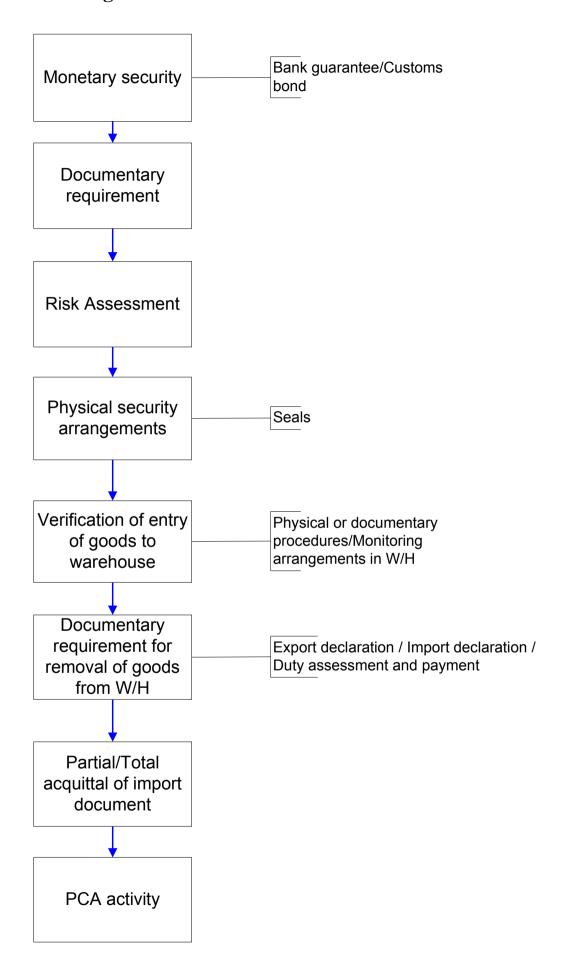
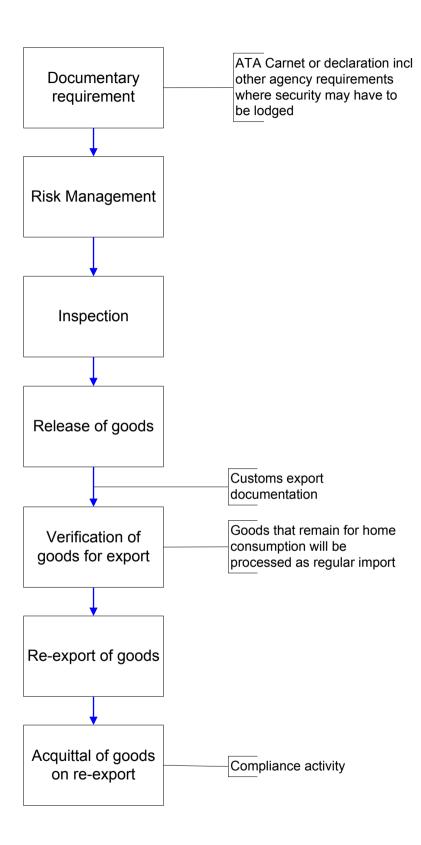


Diagram 8: Temporary Admission



SECTION V: ASEAN Single Window and National Single Windows in 2012

- 31. The ASEAN Single Window shall be fully operational by 2012 at the latest, with the NSWs of ASEAN-6 operationalised by 2008, and the NSWs of ASEAN-4 no later than 2012.
- 32. The ASW shall be implemented in phases in accordance with operational conditions of Member Countries. The working model of the ASEAN Single Window by 2012 is depicted in Figure 11. The connectivity, security domain, messaging and frontend access of the ASW environment is depicted in Figure 12. Also, it shows the approach in the realization of a working model of the ASW by 2012.

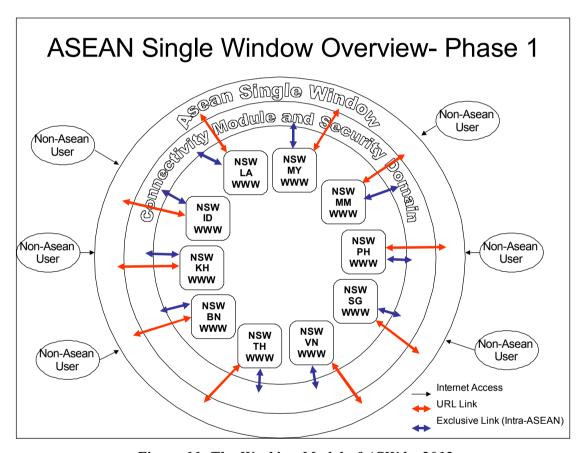


Figure 11: The Working Model of ASW by 2012

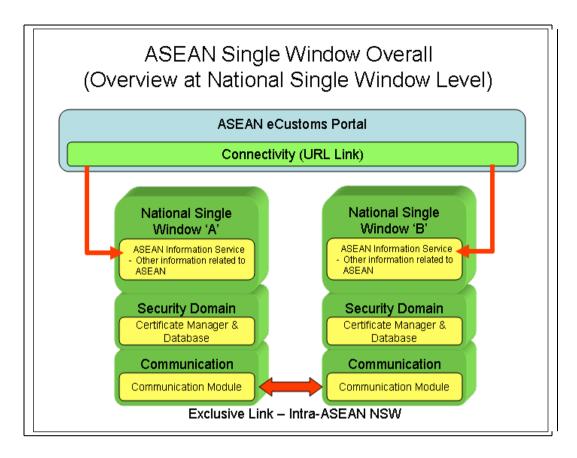


Figure 12: The Working Model of ASW Environment

33. An example of an end-to-end customs clearance process by various stakeholders along the supply chain using the NSW is illustrated in Figure 13.

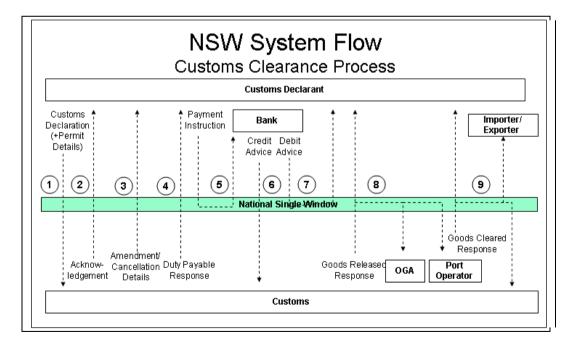


Figure 13: Sample Customs Clearance Process

National Single Windows making use of applications of Information and Communication Technology

34. The typical building blocks in the realization of the working model of the NSW by 2012 is depicted in Figure 14. It describes the structure of the database, security domain, communication modules, process management engine and the translator of the NSW system.

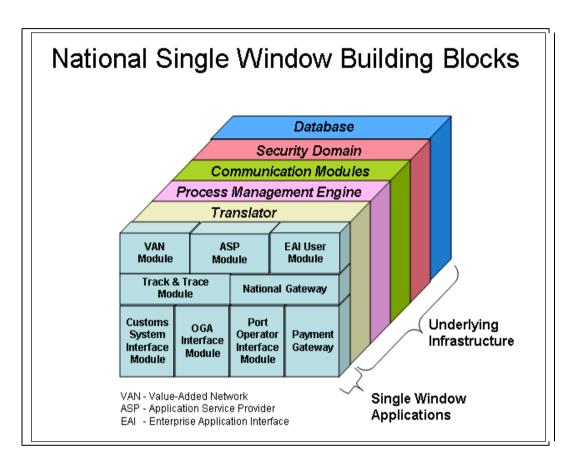


Figure 14: Typical NSW using Information and Communication Technology

- 35. The five components of the NSW Database Infrastructure (Figure 14) are briefly described as follows:
 - 35.1 <u>Translator</u>: It serves to convert incoming data and information of any format into the recipient's desired data format, if required. This component enables the mapping of data and information into the desired database format or vice versa.
 - 35.2 <u>Process Management Engine (PME)</u>: It manages the workflow of the entire NSW and controls the processes related to ICT applications such as routing, validation and the logic of the transactions passed through the NSW.
 - 35.3 <u>Communication Modules</u>: These modules administer various standard protocols being used in the NSWs to enable effective communication and connectivity within a determined environment. The following are currently proposed communication protocols: HTTPs, FTP, ebMS Ver 2.0, email, RosettaNet RNIF, SMTP, X.400/X25, and others.

- 35.4 <u>Security Domain</u>: This component ensures the security and integrity of the ASW and NSWs. It is comprised of ICT equipment and applications being used to secure the exchange of confidential and sensitive data and information among determined parties.
- 35.5 <u>Database</u>: It is the core of the NSW, which comprises related data and information for the ASW and NSWs.

SECTION VI: Standardization of Documentation, Processes and Information Requirements

- 36. Release and clearance of cargo shall also be modernized to achieve the target of 30 minutes for customs release and clearance of a containerized unit, on average, as set forth in the 2005-2010 Strategic Plan of Customs Development on the basis of the Revised Kyoto Convention. To that end, Information and Communication Technology (ICT) applications and standardization constitute the fundamentals of the ASW.
- 37. As an essential feature, the adoption of the Single Window approach requires simplification, standardization and harmonization of the following:
 - (a) Documentation and Processes undertaken by line ministries and agencies;
 - (b) Information requirements of line ministries and agencies; and
 - (c) Format of the data for ICT applications.
- 38. Compatibility and interoperability of national systems of data and information parameters of Customs Administrations, and line ministries and agencies are prerequisites to operationalizing the ASW and NSWs. These factors become imperative once Member Countries apply ICT. Adoption of standard commercial formalities and documents contribute to ensure synchronous processing. In this process, the efficient, effective and coordinated intervention by line ministries and agencies is essential.
- 39. The analysis of data and information requirements by Customs Administrations, and line ministries and agencies indicated the need to synchronize data and information requirements on the basis of international standards such as the WCO Data Set and the United Nations Trade Data Element Directory (UNTDED).

SECTION VII: Application of ICT for ASEAN e-Customs in the ASW Environment

- 40. The inter-relationship of the ASW and e-Customs provides efficiency and better governance to enhance the trade competitiveness of ASEAN. The application of ICT contributes to modernize techniques for an efficient customs release and clearance with transparency.
- 41. Based on the functional and operational structure of the ASW, the ICT applications for the ASW would be in the following areas:
 - (a) Core processes of customs release and clearance.
 - (b) Processes and systems being operated by economic operators and traders.
 - (c) Dialogue environment of economic operators and traders with regulatory government agencies.
 - (d) Communication protocols and messaging standards for paperless interchange and processing.
 - (e) Applications in dealing with specific requirements of stakeholders in accordance with the plan of development of ASW and e-Customs endorsed by ASEAN Customs Directors-General.
- 42. The increasing demand for expeditious and timely cargo clearance and the huge database requires a robust centralized database system at the national level. The application of ICT shall be operated on the basis of international standards and best practices.

43. Figure 15 contains the operational structure of the ASW from the perspectives of ICT applications.

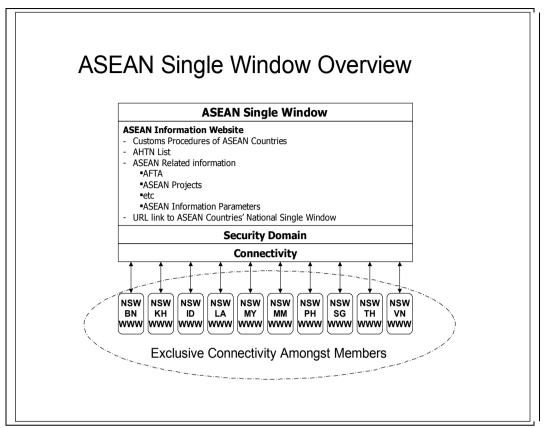


Figure 15: ASEAN Single Window Operational Structure (ICT Applications)

- 44. ICT applications in the ASW form part of the strategies of ASEAN Customs Administrations to move towards e-Customs. It is important to secure the connectivity and interoperability of systems dealing with customs clearance and release through the development of common protocols and standards of communication and messaging. Furthermore, ICT infrastructure readiness is imperative in the development of the ASW and NSW.
- 45. The success of the implementation of the ASW with the use of ICT requires active participation and contribution from the private sector. Entering into a partnership with the private sector allows more opportunities to achieve the realization of the ASW and NSW.
- 46. The following essential functions are to be considered in the definition of roles of customs stakeholders:
 - (a) Data and information processing of trade management (including customs management and control);
 - (b) Data and information processing for fiscal purposes (collection of revenue);
 - (c) Exchange of information for decision making; and
 - (d) Compilation of statistics for economic analysis and management.
- 47. The central messaging gateway of all Customs ICT applications is one of the features of the NSW as illustrated in Figure 16 below. The ICT infrastructure should have the

following features:

- Interface channel, that can send and receive messages in different protocols
- Syntax checks that ensure the conformity of messages with the interface specifications. This includes verification of data type, size and sequence as defined in the interface specifications.
- A Message Oriented Middleware that ensures the delivery of the message for message integrity.
- A translator which can translate different message standards from the external system to a common standard for use in the system and vice versa. The common industry standards are UN/EDIFACT, XML, ANSI X.12, RosettaNet, IATA and others.

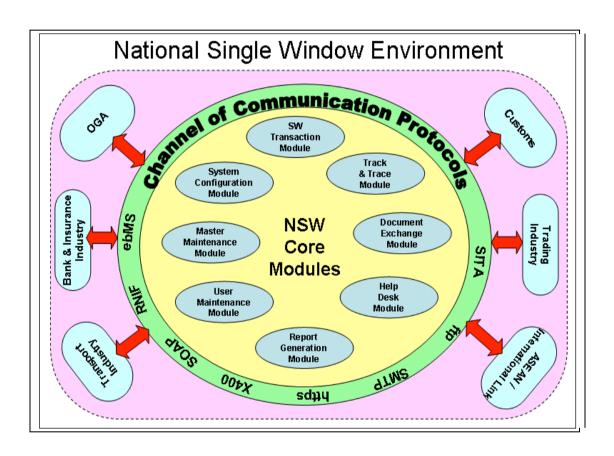


Figure 16: Typical NSW Front-end and Central Messaging Gateway

Figure 16 illustrates the relationship between the NSW Environment and the NSW core modules. The core modules are briefly described below:

- 47.1 <u>Master Maintenance Module</u>: It enables flexibility and handling of crucial reference tables in the database through codification for faster and automatic updating of captured information.
- 47.2 <u>User Maintenance Module</u>: It consists of a front-end system to be used by the stakeholders for registration/enrollment in determining the profile and accessibility of a particular user.
- 47.3 Help Desk Module: It enables the user to navigate and learn how to use the

application system.

- 47.4 <u>Document Exchange Module</u>: It manages documents and messages of similar nature by related stakeholders in the system.
- 47.5 <u>Track and Trace Module</u>: It allows the user to track and trace current and historical information on-line.
- 47.6 <u>SW Transaction Module</u>: It is a front-end system feature that will handle the transactional business among stakeholders, e.g. permits, declarations, release messages, payments, electronic payments, and the like.
- 47.7 <u>Report Generation Module</u>: The back-end and front-end systems synchronize processing to generate reports in the processing of data and information. Transactional reports can also be obtained by the users.
- 47.8 <u>System Configuration Module</u>: A module exclusive for system administration to configure hardware and software and users access.
- 48. The following Figure 17 is an illustration example of the NSW in a single system. It will handle multiple workflow applications in the integrated environment. This Figure will serve as a reference for a robust, scalable and portable development of the NSW.

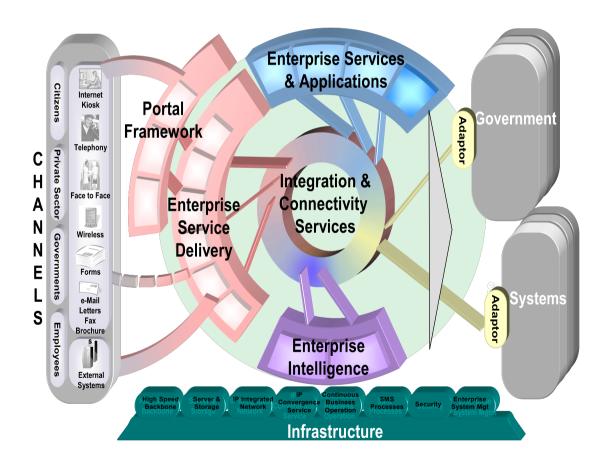


Figure 17: Typical NSW Enterprise Process Model

SECTION VIII: General Matters

Use of the ASW Technical Guide

49. The use of the ASW Technical Guide by Member Countries in implementing the ASW and NSWs shall be subject to the necessary modifications or updates as required by individual Member Countries.

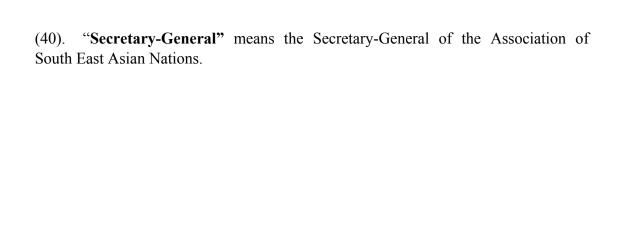
Glossary

- 50. As an aid to the understanding and interpretation of the ASW Technical Guide, as well as Customs and business processes generally, the following glossary may be used:
- (1). "**Agent**" is a person legally authorised by national authorities to act on behalf of another party to work with relevant authorities and stakeholders in a specified commercial transaction.
- (2). "Appeal" means the act by which a person, who is directly affected by a decision or omission of the Customs, and who considers himself or herself to be aggrieved, thereby seeks redress before a competent authority
- (3). "Assessment of duties and taxes" means the determination of the amount of duties and taxes payable.
- (4). "Audit-based control" means measures by which the Customs satisfy themselves as to the accuracy and authenticity of declarations through the examination of the relevant books, records, business systems and commercial data held by persons concerned.
- (5). "Authorised Trader" is a party involved in international transactions, which has been approved by national authorities as complying with established standards by customs regulations. He/she may be allowed authorised to use simplified procedures in accordance with national legislations.
- (6). "Cargo Declaration" means information submitted prior to or on arrival or departure of a means of transport for commercial use. It provides the particulars required by the Customs relating to cargoes under customs control or supervision.
- (7). "Carrier" is the party undertaking or arranging transport of goods between specified points of entry. This includes non vessel operating common carriers.
- (8). "Checking the Goods declaration" means the action taken by the Customs to satisfy themselves that the Goods declaration is correctly made out and that the supporting documents required fulfill the prescribed conditions.
- (9). "Clearance" means the accomplishment of the Customs formalities necessary to allow goods to enter home use, to be exported or to be placed under another Customs procedure.
- (10). "Consignee" is the party to which goods are consigned.
- (11). "Consignor" is the party which, by contract with a carrier, consigns or sends

goods with the carrier.

- (12). "Customs control" means measures applied by the Customs to ensure compliance with Customs law.
- (13). "Customs duties" means the duties laid down in the Customs tariff to which goods are liable on entering or leaving the Customs territory.
- (14). "Customs formalities" means all the operations which must be carried out by the persons concerned and by the Customs in order to comply with the Customs law.
- (15). "Customs law" means the statutory and regulatory provisions relating to the importation, exportation, movement or storage of goods, the administration and enforcement of which are specifically charged to the Customs, and any regulations made by the Customs under their statutory powers.
- (16). "Customs office" means the Customs administrative unit competent for the performance of Customs formalities, and the premises or other areas approved for that purpose by the competent authorities.
- (17). "Customs office of exit" is the Customs office by which the goods leave or are intended to leave the Customs territory.
- (18). "Customs territory" means the territory in which the Customs law of a Member Country applies.
- (19). "**Decision**" means the individual act by which the Customs/Competent Authority decide upon a matter based on Customs law/other relevant laws.
- (20). "**Declarant**" means any person who makes a Goods declaration or in whose name such a declaration is made.
- (21). "**Documents and Formalities**" means documents and administrative forms, as regulated by Government agencies, for the purpose of administration of international trade and commercial transactions. It also includes all commercial and transport documents and those as deemed relevant for the compliance to provisions of customs laws and regulations.
- (22). "**Due date**" means the date when payment of duties and taxes is due.
- (23). "Examination of goods" means the physical inspection of goods by the Customs to satisfy themselves that the nature, origin, condition, quantity and value of the goods are in accordance with the particulars furnished in the Goods declaration.
- (24). "**Exporter**" is the party establishing the export declaration on his/her name or his/her behalf. He/she is the owner of the goods, or has similar right of disposal over them at the time when the declaration is accepted by relevant authorities as stipulated by national laws and regulations.
- (25). "Export duties and taxes" means Customs duties and all other duties, taxes or charges which are collected on or in connection with the exportation of goods, but not including any charges which are limited in amount to the approximate costs of services rendered or collected by the Customs on behalf of another national authority.
- (26). "Goods declaration" means a statement made in the manner prescribed by the Customs, by which the persons concerned indicate the Customs procedure to be applied to the goods and furnish the particulars which the Customs require for its application.

- (27). "**Import duties and taxes**" means Customs duties and all other duties, taxes or charges which are collected on or in connection with the importation of goods, but not including any charges which are limited in amount to the approximate cost of services rendered or collected by the Customs on behalf of another national authority.
- (28). "**Importer**" is the party who makes or on whose behalf an agent or other authorised person makes an import declaration. This may include a person who has possession of the goods, or of the ownership title, or to whom the goods are consigned.
- (29). "International Supply Chain" covers all stages following the recognition of need by a customer for a product or service to the fulfillment of an order by supplier(s) and the resulting financial settlement. It incorporates any necessary activities carried out by intermediaries and authorities.
- (30). "Mutual administrative assistance" means actions of a Customs administration on behalf of or in collaboration with another Customs administration for the proper application of Customs law.
- (31). "Omission" means the failure to act or give a decision required of the Customs by Customs law within a reasonable time on a matter duly submitted to them.
- (32). "**Persons**" means both natural and legal persons, unless the context otherwise requires.
- (33). "Recognised Transport Operator" is a party involved in the transport, storage or handling of cargo or in the provision of services thereto that has been approved by or on behalf of national authorities in accordance with national laws and regulations.
- (34). "**Release of goods**" means the action by the Customs to permit goods undergoing clearance to be placed at the disposal of the persons concerned.
- (35). "**Repayment**" means the refund, in whole or in part, of duties and taxes paid on goods and the remission, in whole or in part, of duties and taxes where payment has not been made.
- (36). "Security" means the action by a relevant party to ensure to the satisfaction of the Customs that an obligation to the Customs will be fulfilled. Security is described as "general" when it ensures that the obligations arising from several operations will be fulfilled.
- (37). "**Third Party**" means any person who deals directly with the Customs, for and on behalf of another person, relating to the importation, exportation, movement or storage of goods.
- (38). "Transit transport" means transit of goods and means of transport across the territory of one or more Member Countries, when the passage across such territory or territories, with or without transshipment, warehousing, breaking bulk or change in the mode of transport, is only a portion of a complete journey beginning and terminating beyond the frontier of one or more Member Countries, across whose territories the traffic passes.
- (39). "Means of transport" means road vehicles, railway rolling stocks, sea and inland waterways craft, and aircraft.





Action Plan of ASEAN Single Window Implementation

	Activities	Responsibility	Participants	Timeline
AS	EAN Single Window (ASW)			
1.	 Establishment of the ASW Steering Committee by Member Countries (ASW Steering Committee) a) Setting policy guidelines for the creation and operation of NSWs and the ASW thereafter. b) Defining the work program and work procedures of the ASW Steering Committee. c) Nomination of designated representatives to the ASW Steering Committee. 	AEM/ASW Steering Committee/Lead Agencies	 Lead Agency Customs Administrations Line Ministries Appointed private sectors 	April 2006 - June 2006
2.	Implementation of ASEAN Customs Declaration Document	ASEAN Customs Administrations	Customs AdministrationLine ministries and agencies	January 2006 - June 2006
3.	Adoption of customs processes as set forth by the ASEAN Cargo Processing Model (including Pre-Arrival Clearance Procedures) on progressing basis Import by Air/Land/Sea Export Warehousing Movement under Bond	ASEAN Customs Administrations	 Customs Administrations Transport and Logistics industry Line ministries and agencies 	January 2006 - December 2006

	Activities	Responsibility	Participants	Timeline
4.	 Transshipment Transit Temporary Admission Inward/Outward Processing Formation of Working Groups to implement the ASW a) Implementation of policies and directives of the Steering Committee by coordinating the activities incumbent for the establishment, implementation, operation and monitoring of the ASW and NSWs. b) Identification of common definition/set of data to be able to standardize data, information and processes intended for integration. c) Delineation of definitive roles and responsibilities of each participating agency. 	ASW Steering Committee/Member Countries	• Customs Administrations • Line ministries and agencies • Trading community • Transport & logistics industry • Service Providers	1 st Meeting of ASW Steering Committee in April - June 2006
	 d) Creation of a general conceptual framework, mechanisms and other IT instruments necessary in the integration process for ensuring data integrity and security. e) Conformity with all other instructions from the ASW Steering Committee related to the effective and efficient implementation of the ASW and NSWs. 			
5.	 Activities of ASW Steering Committee as follows: Develop TORs of Working Groups Develop Program of activities (1st meeting of ASW Steering Committee) 	ASW Steering Committee	ASW Steering Committee	April 2006- December 2006 April - June 2006

	Activities	Responsibility	Participants	Timeline
	 Pilot implementation plan Live implementation plan 			April 2006- December 2006 April 2006- December 2006
6.	Awareness Workshops on ASW Implementation. The target audiences are the Government Agencies and the private sectors of the ASEAN Countries.	ASW Steering Committee	 Customs Administrations Line ministries and agencies Trading community Transport & logistics industry Financial institutions Service Providers 	January 2006 - December 2006
7.	Pilot ASW Implementation • ASEAN-6 • ASEAN-4	ASW Steering Committee	• Line ministries and agencies and/or Customs Administrations involved	January 2006 - June 2007 June 2006 – June 2011
8.	Live implementation of ASW • ASEAN-6	ASW Steering Committee	Customs AdministrationsLine ministries and agencies	June 2006 - before 2008

	Activities	Responsibility	Participants	Timeline
	• ASEAN-4		 Trading community Transport & logistics industry Service Providers 	January 2007 – before 2012
9.	Legal Arrangements to operate the ASW	ASW Steering Committee	• Appointed Legal experts from Member Countries	April 2006- December 2006
Nat	tional Single Windows (NSWs)			
1.	Establishment of the Coordination Body for National Single Windows (the NSW Coordination Body)	Lead Agency/the NSW Coordination Body	 Customs Administration Line Ministries Appointed private sectors 	April 2006-June 2006
2.	Nomination of personnel/organization for participation in NSW Working Groups	Lead Agency/the NSW Coordination Body	 Customs Administration Line Ministries Appointed private sectors 	1 st meeting of NSW Coordination Body February 2006 – June 2006
3.	Formation of Working Groups of the NSW Coordination Body	Lead Agency/the NSW Coordination Body	 Customs Administration Line Ministries Appointed private sectors 	1 st meeting of NSW Coordination Body February 2006 – June 2006
4.	NSW Coordination Body activities	Lead Agency/the	• NSW	

	Activities	Responsibility	Participants	Timeline	
	 Develop TORs of respective Working Groups Develop Program of activities NSW Pilot implementation plan NSW Live implementation plan NSW and ASW Implementation plan Monitor implementation of NSWs NSW Project status update to NSW Coordination Body 	NSW Coordination Body	Coordination Body	April 2006-June 2006 1 st meeting of NSW WGs April – May 2006 April - June 2006 Ongoing process	
5.	Awareness program and workshops on NSW Implementation for stakeholders:	Lead Agency/ the NSW Coordination Body	 Customs Administrations Line ministries and agencies Trading community Financial institutions Transport & logistics industry Service Providers 	March 2006 - December 2007	
6.	Implementation of the ASEAN Customs Declaration Document at national level	Customs Administrations	• Customs Administrations	January 2006 - June 2006	
7.	Implementation of the Customs Techniques including Pre- Arrival Clearance Procedures: • Import by Air/Land/Sea • Export	Customs Administrations	Customs Administrations	January 2006 - December 2006	

	Activities	Responsibility	Participants	Timeline
	 Warehousing Movement under Bond Transshipment Transit Temporary Admission Inward/Outward Processing 			
8.	NSW development	Lead Agency/the NSW Coordination Body	• NSW Coordination Body	March 2006 – March 2007
9.	ICT Application Trainings	Lead Agency/ the NSW Coordination Body	• NSW Coordination Body	March 2006 - June 2007
10.	NSW Pilot implementation • ASEAN-6 • ASEAN-4	Lead Agency/the NSW Coordination Body	 Customs Administrations Line ministries and agencies Trading community Transport & logistics industry Service Providers 	June 2006 - June 2007 June 2006 – June 2011

	Activities	Responsibility	Participants	Timeline
11.	Live implementation of NSWsASEAN-6ASEAN-4	Lead Agency/the NSW Coordination Body	 Customs Administrations Line ministries and agencies Trading community Transport & logistics industry Service Providers 	June 2006 - June 2007 June 2006 – June 2011
12.	NSW enhancement for integration with ASW	Lead Agency/the NSW Coordination Body/ASW Steering Committee	 Customs Administrations Line ministries and agencies Trading community Transport & logistics industry Service Providers 	June 2006 - June 2007 June 2006 - June 2011
13.	Pilot implementation of NSW and ASW • ASEAN-6 • ASEAN-4	Lead Agency/the NSW Coordination Body/ASW Steering Committee	 Customs Administrations Line ministries and agencies Trading community Transport & 	June 2006 - June 2007 June 2006 - June 2011

	Activities	Responsibility	Participants	Timeline
			• Service Providers	
14.	Live implementation of NSW + ASW • ASEAN-6 • ASEAN-4	NSW Coordination Body/ASW Steering Committee	 Customs Administrations Line ministries and agencies Trading community Transport & logistics industry Service Providers 	June 2006 - September 2008 June 2006 - September 2012
15.	Legal Arrangements for the NSWs (where necessary)	NSW Coordination Body	• NSW Coordination Body	June 2006 - June 2007
AS	W Pilot Project			
1.	Develop action plan for the pilot project • ASEAN-6 • ASEAN-4	ASW Steering Committee/NSW Coordination Body	ASW Steering CommitteeNSW Coordination Body	January 2006 – June 2006 January 2006 – December 2007
2.	Define pilot stages • ASEAN-6	ASW Steering Committee/NSW Coordination Body	ASW Steering CommitteeNSW	January 2006 – June 2006

	Activities	Responsibility	Participants	Timeline
	• ASEAN-4		Coordination Body	January 2006 - December 2007
3.	NSW enhancement and integration testing • ASEAN-6 • ASEAN-4	Technical teams of countries involved	ASW Steering CommitteeNSW Coordination Body	March 2006 – March 2007 March 2006 – March 2011
4.	Pilot implementation • ASEAN-6 • ASEAN-4	ASW Steering Committee/NSW Coordination Body	ASW Steering CommitteeNSW Coordination Body	March 2006 - June 2007 March 2006 - June 2011
5.	Live implementation • ASEAN-6 • ASEAN-4	ASW Steering Committee/NSW Coordination Body	ASW Steering CommitteeNSW Coordination Body	June 2006 - September 2007 June 2006 - September 2011

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