

WTO Trade Facilitation Agreement

TIMELINE



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KEY ACTIONS FOR IMPLEMENTING THE TRADE FACILITATION AGREEMENT: FROM BALI ONWARD¹

Ministers at Bali in December 2013 concluded the negotiations of the Agreement on Trade Facilitation). The Bali Ministerial Decision and the Trade Facilitation Agreement oblige Members to undertake certain actions. The list of various actions which would be required are listed below along with a schematic presentation. The italic wording in small brackets at the end of each action refers to the relevant provision of the TFA or Bali Ministerial Decision² for ease of reference.

¹ The purpose of this document is to assist developing countries with the timelines and notification requirements under the Trade Facilitation Agreement. Accordingly some actions are 'implied' or 'assumed'. Readers are advised to consult the original text of the Agreement for precise legal obligations.

² Bali Ministerial Declaration WT/MIN(13)/W/36 dated 7 December 2013.

A. By 31 July 2014

- a. Making the 'Preparatory Committee' operational by electing its chairman with functional secretariat⁴ (*BMD paragraph 2*).
- b. Legal review of the text (*BMD paragraph 2*).
- c. Draw 'Protocol of Amendment' to insert the TFA in Annex 1A of the WTO Agreement (*BMD paragraph 2*).
- d. Receive notifications of Category A commitments (*BMD paragraph 2*).
- e. Functions necessary for expeditious entry into force and efficient operation of the TFA (*BMD paragraph 2*).
- f. Adopt Protocol of Amendment (*BMD paragraph 3*).
- g. Annex notification of Category A commitments of developing countries to the TFA (*BMD paragraph 3*).
- h. Open the Protocol for acceptance until 31 July 2015 (*BMD paragraph 3*).

B. By 31 July 2015

- a. Receive acceptance of the Protocol of Amendment from Members (*BMD paragraph 3*).
- b. Inform the Members regarding the exact date of entry into force of the TFA (*BMD paragraph 3*).

C. Entry into force and beyond

- a. Operationalize the Committee on Trade Facilitation (*Article 13 (1.1)*).
- b. Annex different category provisions from developing and least developed countries to the TFA (*Article 3.1, 3.2 and 4.5 of Section II*).
- c. Review the operation and implementation of TFA **four years** after entry into force and periodically thereafter (*Article 13 (1.6)*).
- d. Remind Members for notifying the definitive date of implementation of Category B or C provisions **three months** before those are due (*Article 4.4 of Section II*).
- e. Extension of deadlines for the Member(s) experiencing difficulty to notify its definitive dates (*Article 4.4 of Section II*).
- f. Within **60 days** after notification of the definitive dates, CFT would annex these provisions and dates to make it integral part of the TFA (Member's schedule of commitment) (*Article 4.5 of Section II*).
- g. Establishing an Expert Group(s), no later than 60 days, after receiving the notification from a developing Member its inability to implement a particular provision on account of lacking the ability to implement or unforeseen circumstances (*Article 6.2 of Section II*).

³ It denotes all WTO Members collectively as well as WTO Secretariat.

⁴ Already completed.

LEAST DEVELOPED COUNTRIES

A. *By July 2015*

- a. Deposit acceptance of the Protocol of Amendment to the WTO (implied from paragraph 3 of BMD).

B. *Within **one** year of entry into force*

- a. Notify Category A provisions to the WTO (BMD *Article 3.2 of Section II*).
- b. Notify Category B provisions and **may** notify **indicative** dates of implementation (for the dates, the expression used is 'may' not 'shall') (*Article 4.2.a of Section II*).
- c. Notify the Category C provisions (*Article 4.2.c of Section II*).

C. *Within **two** years of entry into force (one year after notification of Cat C)*

- a. Inform the Committee on Trade Facilitation of assistance and support **required** for implementation of Category C provisions (*Article 4.2.d of Section II*).

D. *Within **three** years of entry into force (Two years after the notification date of Category B)*

- a. Notification to confirm Category B provisions and dates for implementation. In case of difficulty, there is a possibility to request the Committee on Trade Facilitation for extension of time for notification (*Article 4.2.b of Section II*).

E. *Within **four** years of entry into force (Two years after the notification of assistance 'Required')*

- a. Provide information on the arrangements **entered** for provision of assistance and support (also for donor members) (*Article 4.2.e of Section II*).
- b. Notify **indicative** dates for implementation of Category C provisions (*Article 4.2.e of Section II*).

F. *Within **five and a half** years of entry into force (18 months after the notification of indicative dates of Category C)*

- a. Provide information to the Committee on Trade Facilitation on the **progress made** on provision of assistance and support (also by donor members) (*Article 4.2.f of Section II*).
- b. Notify the **definitive** dates for implementation of Category C provisions. In case of difficulty possibility to request Committee on Trade Facilitation for extension of time for notification as soon as possible prior to expiration of deadlines (*Article 4.2.f of Section II*).

DEVELOPING COUNTRIES

A. By 31 July 2014

- a. Notify Category A provisions (BMD paragraph 2).

B. By 31 July 2015

- a. Deposit acceptance of the Protocol to the WTO (*implied from paragraph 3 of BMD*).

C. Upon entry into force

- a. Implement Category A provisions (*Article 3.1 of Section II*).
- b. Notify Category B and C provisions along with **indicative** dates of implementation. (*Article 4.1.a and c of Section II*).
- c. Inform the Committee on Trade Facilitation on arrangements **required** for implementation of Category C provisions (*Article 4.1.c of Section II*).

D. Within **one** year of entry into force

- a. Notify **definitive** dates for implementation of Category B provisions. In case of difficulty possibility to request Committee on Trade Facilitation for extension in time for notification as soon as possible prior to expiration of deadlines (*Article 4.1.b of Section II*).
- b. Inform the Committee on Trade Facilitation on arrangement **made or entered into** for implementation of Category C provisions (also by donor members) (*Article 4.1.d of Section II*).

E. Within **two and a half** years after entry into force (18 months after notification of assistance 'Required' for Category C)

- a. Provide information to the Committee on Trade Facilitation on the progress **made** on provision of assistance and support (also by donor members) (*Article 4.1.e of Section II*).
- b. Notify the **definitive** dates for implementation of Category C provisions. In case of difficulty possibility to request Committee on Trade Facilitation for extension in time for notification as soon as possible prior to expiration of deadlines (*Article 4.1.e read with 4.3 of Section II*).

A. By 31 July 2015

- a. Deposit acceptance of the Protocol of Amendment to the WTO (*implied from paragraph 3 of BMD*).

B. Upon Entry into force

- a. Implement all measures upon entry into force (BMD Para 3).
- b. Submit information on Technical Assistance (TA) and Capacity Building (CB) in the annexed format upon entry into force and annually thereafter (*Article 10.1 of Section II*).
- c. Notify contact information of their agencies responsible for TA and CB and contact points within the country or region of intended assistance (*Article 10.2a of Section II*).
- d. Submit the process and mechanism of requesting assistance (*Article 10.2b of Section II*).

C. After **one** year of entry into force

- a. Inform the Committee on Trade Facilitation on arrangements **made or entered into** for implementation of Category C provisions for developing countries (*Article 4.1.d of Section II*).

D. Within **two and a half** years after entry into force

- a. Provide information to the Committee on Trade Facilitation on the **progress made** on provision of assistance and support to developing Countries (*Article 4.1.e of Section II*).

E. Within **four** years of entry into force

- a. Notify TA **arrangements made** with Least Developed Countries to enable implementation of Category C provisions (*Article 4.2.e of Section II*).

F. Within **five and a half** years of entry into force

- a. Inform the Committee on Trade Facilitation on the **progress made** in delivery of TA to Least Developed Countries (*Article 4.2.f of Section II*).

⁵ Developing countries in a position to provide TA are also encouraged to submit information at c to i.

SCHEMATIC PRESENTATION OF KEY ACTIONS AFTER BALI MINISTERIAL DECISION

	7 Dec. 2013		31 July 2014			Within one year (Y1)	Within two years (Y2)	Within three years (Y3)	Within four years (Y4)	Within five years (Y5) and first half of sixth year			
WTO	Bali Ministerial Decision and Agreed text of TFA				Entry into force, upon acceptance by two third Members	<ul style="list-style-type: none"> Operationalize the Committee on Trade Facilitation (CTF) Annex different Category provisions from DCs and LDCs to the TFA 	<ul style="list-style-type: none"> Remind Members for notifying definitive date of implementation of Category B or C provisions (3 months before deadline) Extension of deadlines for Member(s) with difficulties on notifying its definitive dates Within 60 days after notification of definitive dates CTF would annex provisions and dates to TFA Establish Expert Group 	<ul style="list-style-type: none"> Review the operation and implementation of TFA 	<ul style="list-style-type: none"> Preparatory Committee Legal review of the text Draw Protocol of Amendment (PoA) Receive notifications on Category A provisions Adopt PoA Annex notification of A commitments of DCs to TFA Open PoA for acceptance until 31 July 2015 	<ul style="list-style-type: none"> Receive acceptance of PoA from Member Inform Members regarding the exact date of entry into 			
LDCs											<ul style="list-style-type: none"> Deposit acceptance of the PoA to the WTO 	<ul style="list-style-type: none"> Notify Category B provisions and <u>may</u> notify indicative dates of implementation Notify Category C provisions 	<ul style="list-style-type: none"> Inform the CTF on assistance and support required for implementation Category C provisions
Developing Countries (DC)	Bali Ministerial Decision and Agreed text of TFA				Entry into force, upon acceptance by two third Members	<ul style="list-style-type: none"> Notify definitive dates for implementation of Category B provisions. An extension in time for notification can be requested to the CTF. Inform CTF on arrangements made or entered into for impl. Cat. C provisions 	<ul style="list-style-type: none"> Inform the CTF on progress made on assistance and support received Notify definitive dates of Category C provisions. An extension in time for notification can be requested 	<ul style="list-style-type: none"> Inform the CTF on progress made on provision of assistance to DCs 	<ul style="list-style-type: none"> Notify on arrangements made with LDCs to implement Cat. C 	<ul style="list-style-type: none"> Notify Category A provisions to the WTO 	Protocol of Amendment adopted	<ul style="list-style-type: none"> Deposit acceptance of the PoA to the WTO 	<ul style="list-style-type: none"> Implement Cat. A measures. Notify Cat. B and C provisions & indicative dates of implement. Inform on assistance required for Cat. C
Developed Countries													



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