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G20 Research Group
at Trinity College at the Munk School of Global Affairs in the University of Toronto
with the
International Organisations Research Institute
at the National Research University Higher School of Economics, Moscow
present the

2014 Brisbane G20 Summit Interim Compliance Report

17 November 2014 to 1 March 2015

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“The University of Toronto ... produced a detailed analysis to the extent of which each G20 country has met its commitments since the last summit ... I think this is important; we come to these summits, we make these commitments, we say we are going to do these things and it is important that there is an organisation that checks up on who has done what.”

— *David Cameron, Prime Minister, United Kingdom, at the 2012 Los Cabos Summit*

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4. Trade

“We commit to implement all elements of the Bali package.”

G20 Brisbane Leaders' Communiqué

Assessment

| | Lack of Compliance | Partial Compliance | Full Compliance |
|----------------|--------------------|--------------------|-----------------|
| Argentina | -1 | | |
| Australia | | | +1 |
| Brazil | | 0 | |
| Canada | | | +1 |
| China | | 0 | |
| France | | | +1 |
| Germany | | | +1 |
| India | -1 | | |
| Indonesia | | 0 | |
| Italy | -1 | | |
| Japan | | 0 | |
| Korea | | 0 | |
| Mexico | | 0 | |
| Russia | | 0 | |
| Saudi Arabia | -1 | | |
| South Africa | | | +1 |
| Turkey | -1 | | |
| United Kingdom | | | +1 |
| United States | | | +1 |
| European Union | -1 | | |
| Average | | +0.05 | |

Background

Since the Washington Summit of 2008, G20 countries have consistently committed to reducing barriers to international trade in the form of protectionist measures, burdensome administrative procedures, investment restrictions, and non-tariff measures regarding imports. Generally, this commitment has been considered a long-term goal for a healthy global economy and a means towards economic recovery following the global financial crisis.³³⁰

With the resumption of the World Trade Organization's Doha Development Round of trade talks at the Bali Ministerial Conference in December 2013, the trade commitment is taking on a more positive character. It now encompasses specific and uniformly agreed-upon policy measures. At the recent Brisbane Summit, G20 states committed to implementing all elements of the Bali package in an effort to facilitate global trade.³³¹

³³⁰2014 G20 Brisbane Summit Communiqué, 16 November 2014. Date of Access: 31 January 2014.

<http://www.g20.utoronto.ca/2014/2014-1116-communication.html>

³³¹2013 St. Petersburg G20 Summit Final Compliance Report, 15 November 2014. Date of Access: 31 January 2014.

<http://www.g20.utoronto.ca/compliance/2013stpetersburg-final/index.html>

Commitment Features

G20 members must implement the Bali package in full. The package includes a series of measures focused on trade facilitation and adopted at the World Trade Organization's Bali Ministerial Conference on 7 December 2013.

The package consists of policy measures focused explicitly on trade facilitation, as well as miscellaneous policy measures directed at reducing tariffs, subsidies and burdensome administrative procedures vis a vis specific industries or nations.³³²

G20 members' compliance with the commitment is gauged against national implementation of a selection of specific and identifiable policy commitments contained in the Agreement on Trade Facilitation.³³³

The sub-articles selected to be evaluated for this commitment have been chosen according to two criteria: 1) they lend themselves to monitoring and 2) they constitute steps that member states can take proactively, as opposed to in reaction to a certain event.

As the Bali package was agreed upon in December 2013, some G20 members continued to implement measures during the 2014 Brisbane compliance cycle. In such cases, the G20 member is awarded full compliance.

Article 1: Publication and Availability of Information

1. Publication

- 1.1. Each Member shall promptly publish the following information in a non-discriminatory and easily accessible manner in order to enable governments, traders and other interested parties to become acquainted with them:
 - a. Importation, exportation and transit procedures (including port, airport, and other entry-point procedures) and required forms and documents;
 - b. Applied rates of duties and taxes of any kind imposed on or in connection with importation or exportation;
 - c. Fees and charges imposed by or for governmental agencies on or in connection with importation, exportation or transit;
 - d. Rules for the classification or valuation of products for customs purposes;
 - e. Laws, regulations and administrative rulings of general application relating to rules of origin;
 - f. Import, export or transit restrictions or prohibitions;
 - g. Penalty provisions against breaches of import, export or transit formalities;

Commission consults on Capital Markets Union, European Commission (Brussels) 18 February 2015. Date of Access: 26 February 2015. http://europa.eu/rapid/press-release_IP-15-4433_en.htm

³³² Ministerial Conference Ninth Session, Bali, 3-6 December 2013, Ministerial Declaration and Decisions, World Trade Organization (Geneva) 11 December 2013. Date of Access: 1 February 2015.

³³³ <http://naega.org/wp-content/uploads/2012/05/WTO-Bali-Action-Item.pdf>

- h. Appeal procedures;
- i. Agreements or parts thereof with any country or countries relating to importation, exportation or transit;
- j. Procedures relating to the administration of tariff quotas.

2. *Information Available Through Internet*

- 2.1. Each Member shall make available, and update to the extent possible and as appropriate, the following through the internet:
 - a. A description of its importation, exportation and transit procedures, including appeal procedures, that informs governments, traders and other interested parties of the practical steps needed to import and export, and for transit;
 - b. The forms and documents required for importation into, exportation from, or transit through the territory of that Member;
 - c. Contact information on enquiry points.

Article 3: Advance Rulings

6. *Each member shall publish, at a minimum:*

- a. the requirements for the application for an advance ruling, including the information to be provided and the format;
- b. the time period by which it will issue an advance ruling; and
- c. the length of time for which the advance ruling is valid.

Article 7: Release and Clearance of Goods

1. *Pre-arrival processing*

- 1.1. Each Member shall adopt or maintain procedures allowing for the submission of import documentation and other required information, including manifests, in order to begin processing prior to the arrival of goods with a view to expediting the release of goods upon arrival.
- 1.2. Members shall, as appropriate, provide for advance lodging of documents in electronic format for pre-arrival processing of such documents.

2. *Electronic payment*

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

Article 10: Formalities Connected with Importation and Exportation and Transit

5. *Pre-shipment inspection*

- 5.1. Members shall not require the use of pre-shipment inspections in relation to tariff classification and customs valuation.

6. Use of Customs Brokers

- 6.1. Without prejudice to the important policy concerns of some Members that currently maintain a special role for customs brokers, from the entry into force of this agreement Members shall not introduce the mandatory use of customs brokers.

Scoring Guidelines

| | |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| -1 | G20 member fails to implement and/or maintain measures under any of the articles listed in the guidelines AND/OR member does not adhere to either of 5.1 or 6.1 of Article 10. |
| 0 | G20 member implements and/or maintains measures under each of the articles listed in the guidelines, but not in their totality. Member also adheres to both 5.1 and 6.1 of Article 10. |
| +1 | G20 member implements and/or maintains all of the measures under the articles listed in the guidelines in their totality. Member also adheres to both 5.1 and 6.1 of Article 10. |

Lead Analyst: Hayden Rodenkirche

Argentina: -1

Argentina has not complied with the trade-facilitation measures of the Bali package.

On 22 August 2014, a World Trade Organization Dispute Settlement Panel ruled against Argentina since it did not provide laws and regulations relating to importation guidelines such as asserting the limits of imports' value and volume; these trade-related requirements were not found in any form of law regulation or other written measures.³³⁴ Thus, these 'unwritten' measures failed to enable governments, traders and other interested parties with publication of consistent information in regards to importation.

Argentina successfully fulfills the requirements under Article 3: Advance Rulings. The Federal Administration of Public Revenue provides online information on the requirements for the application for an advance ruling.³³⁵ Hence, Argentina complies with Article 3 of the Bali Package. Argentina also fulfills the requirements under Article 7: Release and Clearance of Goods. The Directorate General of Taxes maintains various customs procedures in order to allow submission of import documentation.³³⁶

Argentina fails to fulfill the requirements under Article 10: Formalities Connected with Importation and Exportation and Transit.

On February 12 2015, the Argentine Foreign Minister Héctor Timerman admitted there were trade disagreements between Argentina and Brazil — two members of Mercosur. Argentina failed to alleviate import restrictions to Brazil, resulting in a decline of imports.³³⁷ Hence, Argentina did not adhere to section 5.1 of Article 10, which demands omitting pre-shipment inspections.

³³⁴ WTO Panel Rules Against Argentina Regarding Certain Measures Affecting the Importation of Goods, Mayer Brown 10 September 2014. Date of Access: 20 April 2015
<http://www.mayerbrown.com/WTO-Panel-Rules-Against-Argentina-Regarding-Certain-Measures-Affecting-the-Importation-of-Goods-09-10-2014/>

³³⁵ Tax Information, AFIP (Buenos Aires) Date of Access: 20 April 2015
<http://www.afip.gob.ar/english/taxInformation.asp#d>

³³⁶ Import Customs Procedures In Argentina, Santander Trade, March 2015. Date of Access: 20 April 2015.
https://en.santandertrade.com/international-shipments/argentina/customs-procedures?&actualiser_id_banque=oui&id_banque=0&memoriser_choix=memoriser

³³⁷ Argentina and Brazil admit trade disagreements between Mercosur main partners, MercoPress (Montevideo) 12 February 2015. Date of Access: 9 March 2015

Although Argentina maintains some of the measures in the Bali package, it fails to implement section 5.1 of Article 10.

Although Argentina has implemented some of the measures under the articles listed in the Bali package, it does not adhere to section 5.1 of Article 10. Argentina fails to fulfill the requirements under Article 1: Publication and Availability of Information under the Bali package. Thus, Argentina is awarded a -1.

Analyst: Arturo Sparks

Australia: +1

Australia has fully complied with all the measures under the articles listed in the guidelines.

Australia has fulfilled its requirements under Article 1 of the Bali Package. The Government of Australia has published a website for “customs procedures for importing and exporting” that provides online guides and information regarding procedures for importing and exporting goods.³³⁸

The Australian government has also provided an online guide for step-by-step advice on importing and exporting goods under the agreement thus satisfying Article 2 of the Agreement on Trade Facilitation.³³⁹

Among the guides available on the aforementioned website is an “advance rulings” guide that provides information regarding the length of time with which the advance ruling is valid, the time period by which it will issue the advance ruling and where to find more information regarding the requirements of applying for the advance ruling.³⁴⁰ This satisfies Article 3 of the Bali agreement.

The website also provides a page for “Pre-arrival requirements” that lists the procedures required for submitting import documentation before the arrival of goods into Australia. The forms required to complete the relevant procedures are also provided in electronic format online.³⁴¹ This satisfies Article 7.1 of the Agreement on Trade Facilitation. Furthermore, in accordance with Article 7.2, the Government of Australia has made it possible to pay duties, taxes, fees and charges online for importation and exportation services.³⁴² The “Pre-arrival requirements” page also does not specify any policy for pre-shipment inspection.³⁴³ Also, as specified by the “customs broker” page of the aforementioned website, the use of customs brokers was granted by the Australian government under the Customs Act 1901.³⁴⁴ The former initiatives are consistent with Articles 10.5.1 and 10.6.1 of the agreement.

<http://en.mercopress.com/2015/02/12/argentina-and-brazil-admit-trade-disagreements-between-mercosur-main-partners>

³³⁸ Customs procedures for importing and exporting (Canberra). Date of Access: 7 March 2015.

<http://www.customs.gov.au/site/page4226.asp>.

³³⁹ Guide to using KAFTA to export and import goods (Canberra). Date of Access: 27 February 2015.

<http://dfat.gov.au/trade/agreements/kafta/fact-sheets/Pages/guide-to-using-kafta-to-export-and-import-goods.aspx>.

³⁴⁰ Advance Rulings: Tariff, Valuation and Origin Advice (Canberra). Date of Access: 7 March 2015.

<http://www.customs.gov.au/webdata/resources/files/AdvanceRulingsTariffValuationandOriginAdvice-June2011.pdf>.

³⁴¹ Pre-arrival requirements (Canberra). Date of Access: 7 March 2015. <http://www.customs.gov.au/site/page5803.asp>.

³⁴² Paying Customs and Border Protection Invoices (Canberra). Date of Access: 7 March 2015.

<http://www.customs.gov.au/site/page6065.asp#Online>.

³⁴³ Pre-arrival requirements (Canberra). Date of Access: 7 March 2015. <http://www.customs.gov.au/site/page5803.asp>.

³⁴⁴ Customs Broker (Canberra). Date of Access: 7 March 2015. <http://www.customs.gov.au/site/page6090.asp>.

Thus, Australia has been awarded a score of +1 for complying with all the measures listed in the guidelines.

Analyst: Nour Chehabeddine

Brazil: 0

Brazil has partially complied with the trade-facilitation or miscellaneous measures of the Bali package.

On 31 October 2014, the Brazilian government stated that implementing trade-facilitation measures is one of the country's main priorities. This is evident through the government's new project to create an online framework with documents containing all trade procedures and the launch of the Siscomex system Drawback Isenção Web, which provides trade mechanisms to be applied to online documents.³⁴⁵

Brazil continued implementing some measures of the Bali package, which it had begun before the current compliance period, but it failed to comply with the minimum six measures of the Bali package. Thus, Brazil is awarded a score of 0.

Analyst: Arturo Sparks

Canada: +1

Canada has implemented or maintained all the measures under the articles listed in the guidelines including those listed in Article 10.

Canada fulfills the requirements under Article 1: Publication and Availability of Information under the Bali package. Canada publishes information regarding importation, exportation and transit procedures along with required forms and documents.³⁴⁶ Canada also publishes the applied rates of duties, taxes and fees imposed on imports, exports or transit.³⁴⁷ Rules for the classification or valuation of products for customs purposes are also provided, including the procedures relating to the administration of tariffs.³⁴⁸ Canada provides various laws, regulations and administrative rulings relating to rules of origin as well as agreements with countries relating to trade.³⁴⁹ Canada also provides resources on restricted or prohibited items for export and import.³⁵⁰ If trade conditions are not met, Canada provides penalty provisions.³⁵¹ Canada also provides contact information to enquiry

³⁴⁵ Governo Reforça Compromisso Com Facilitação Comercial, Portal Brasil (Sao Paulo) 31 October 2014. Date of Access: 1 March 2015

<http://www.brasil.gov.br/economia-e-emprego/2014/10/governo-reforca-compromisso-com-facilitacao-comercial>

³⁴⁶ Canada Border Services Agency, Government of Canada (Ottawa) 24 February 2015. Date of Access: 28 February 2015. <http://www.cbsa-asfc.gc.ca/menu-eng.html#>

³⁴⁷ Step-by-Step Guide to Importing Commercial Goods into Canada, Canada Border Services Agency (Ottawa) 1 October 2014. Date of Access: 27 February 2015. <http://www.cbsa-asfc.gc.ca/import/guide-eng.html>

³⁴⁸ Chapter-by-Chapter Customs Tariff, Canada Border Services Agency (Ottawa) 1 October 2014. Date of Access: 4 March 2015. <http://www.cbsa-asfc.gc.ca/trade-commerce/tariff-tarif/2014/html/tblmod-04-eng.html>

³⁴⁹ D11: General Tariff Information, Canada Border Services Agency (Ottawa) 15 October 2014. Date of Access: 4 March 2015. <http://www.cbsa-asfc.gc.ca/publications/dm-md/d11-eng.html>

³⁵⁰ Prohibited or Restricted Goods, Canada Border Services Agency (Ottawa) 28 July 2008. Date of Access: 3 March 2015. <http://www.cbsa-asfc.gc.ca/security-secure/prohib-eng.html>

³⁵¹ Master Penalty Document, Canada Border Services Agency (Ottawa) 28 March 2014. Date of Access: 3 March 2015. <http://www.cbsa-asfc.gc.ca/trade-commerce/amps/am-rm-eng.html>

points for questions regarding trade procedures, duties, rules and appeals.³⁵² Canada outlines procedures for the administration of tariff quotas.³⁵³ All of this information is available on the internet, fulfilling the requirement second requirement under Article 1: Publication and Availability of Information. This includes contact information for enquiry points and the necessary forms needed for trade within Canada.³⁵⁴

Canada provides information on advance rulings including the requirements for application, the time period it takes to provide the ruling and the length of time a ruling is valid in accordance with Article 3: Advanced Rulings.³⁵⁵ Canada also fulfills the requirements for Article 7: Release and Clearance of Goods to allow for pre-arrival processing of goods into Canada, including providing for lodging of documents in electronic format.³⁵⁶ The option for electronic payment of debit or credit is also available at some border crossings.³⁵⁷

Finally, under Article 10: Formalities Connected with Importation and Exportation and Transit, shipment inspection in relation to tariff classification and custom valuation is not required and the use of customs brokers is optional, not mandatory.³⁵⁸

Canada has implemented or maintained all the measures in the Bali package under the articles listed in the guidelines including those listed in Article 10. Thus, Canada is awarded a score of +1.

Analyst: Anna Hobenadel

China: 0

China has partially complied with its commitment to implement the Bali package.

China publishes its “laws, regulations, and progressively, all procedures concerning the protection, including enforcement, of intellectual property rights” on the website of the Ministry of Commerce, relevant departmental websites, including State Administration for Industry & Commerce, and State Intellectual Property office.³⁵⁹

³⁵² Canada’s Notification Authority and Enquiry Point, Department of Foreign Affairs, Trade and Development in Canada (Ottawa) 31 March 2014. Date of Access: 28 February 2015. <http://www.international.gc.ca/trade-agreements-accords-commerciaux/wto-omc/enquiry.aspx?lang=eng>

³⁵³ Tariff Rate Quotas, Canada Border Services Agency (Ottawa) 28 January 2010. Date of Access: 7 March 2015. <http://www.cbsa-asfc.gc.ca/publications/dm-md/d10/d10-18-1-eng.html>

³⁵⁴ Forms, Canada Border Services Agency (Ottawa) 9 February 2015. Date of Access: 7 March 2015. <http://www.cbsa-asfc.gc.ca/publications/forms-formulaires/menu-eng.html>

³⁵⁵ Advance Rulings for Tariff Classification, Canada Border Services Agency (Ottawa) 2 February 2015. Date of Access: 5 March 2015. <http://www.cbsa-asfc.gc.ca/import/ar-da/menu-eng.html#b3>

³⁵⁶ Other Service Systems: Pre-Arrival Review System, Canada Border Services (Ottawa) 27 July 2009. Date of Access: 5 March 2015. <http://www.cbsa-asfc.gc.ca/import/services-eng.html>

³⁵⁷ Step-by-Step Guide to Importing Commercial Goods into Canada, Canada Border Services Agency (Ottawa) 1 October 2014. Date of Access: 27 February 2015. <http://www.cbsa-asfc.gc.ca/import/guide-eng.html>

³⁵⁸ Step-by-Step Guide to Importing Commercial Goods into Canada, Canada Border Services Agency (Ottawa) 1 October 2014. Date of Access: 27 February 2015. <http://www.cbsa-asfc.gc.ca/import/guide-eng.html>

³⁵⁹ “Implementation of APEC’s Area-Specific Transparency Standards” Asia-Pacific Economic Cooperation (Singapore). Date of Access: 15 March 2015. <http://www.apec.org/Groups/Committee-on-Trade-and-Investment/APEC-Transparency-Standards.aspx>

The website of the China Legislative Information Network System publishes trade-related laws and regulations of the Central government, and has made available all draft administrative regulations for public comments since 2008.³⁶⁰

China Customs, as required by relevant Chinese laws, transparently publishes advance customs rulings on its website.³⁶¹

In September, 2013, the Free Trade Zone (FTZ) of Shanghai published a “smart” Inspection & Release system with its Entry-Exit Inspection and Quarantine Bureau, which allows customers to “inquire information of the whole logistics process of import good.” The FTZ of Shanghai, since March, 2014, has allowed corporations to submit digital copies of documents to the customs department to submit goods.³⁶² Lu Xiangqing, the deputy director of customs for the Shanghai Waigaoqiao Free Trade Zone, noted that “nearly 3,400 declaration applications are reviewed daily from the 6,000 enterprises in the Waigaoqiao FTZ, and increase of more than 2,000 businesses” since the establishment of the pilot Free Trade Zone in September 2013.³⁶³ However, similar efforts in other regions within China have not been found.

In May 2014, China co-submitted the “Proposal on Establishing a Capacity Building Plan to Improve Supply Chain Performance” in the Committee on Trade and Investment in the APEC 2014 summit, which emphasizes the mitigation of pre-arrival processing.³⁶⁴

China continues to require pre-shipment inspection for, “imports of waste raw materials and used machinery and electrical products” and “imports of certain commodities related to national security.” This has remain unchanged since 2010.³⁶⁵

China does not require the use of customs brokers, in keeping with the trade-facilitation measures of the Bali package.

³⁶⁰ “Report of the Meeting Held on 5 December 2008” World Trade Organization: Council for Trade in Services (Geneva) 12 December 2008. Date of Access: 7 March 2015.

http://www.jmcti.org/2000round/China/TRM/2008/s_c_m_92.pdf

“Trade Policy Review: Report by the Secretariat on China” World Trade Organization; Trade Policy Review Body (Geneva) 27 May 2014. Date of Access: 6 March 2015. https://www.wto.org/english/tratop_e/tpr_e/s300_e.pdf

“Government Report: Trade Policy Regime: Framework And Objectives” World Trade Organization by China, June 2012. Date of Access: 6 March 2015. https://www.wto.org/english/tratop_e/tpr_e/tp364_e.htm

³⁶¹ “Implementation of APEC’s Area-Specific Transparency Standards” Asia-Pacific Economic Cooperation, 2007. Date of Access: 15 March 2015. <http://www.apec.org/Groups/Committee-on-Trade-and-Investment/APEC-Transparency-Standards.aspx>

³⁶² “Smart System Boosts Trade Facilitation in FTZ” China (Shanghai) Pilot Free Trade Zone, 23 December, 2014. Date of Access: 16 March 2015. <http://en.shftz.gov.cn/News-Information/News-update/379.shtml>

³⁶³ “Shanghai FTZ Reviews Paperless Declarations” Ministry of Commerce People’s Republic of China (Beijing) 6 April 2014. Date of Access: 8 March 2015.

<http://english.mofcom.gov.cn/article/counselorsreport/europereport/201404/20140400541447.shtml>

³⁶⁴ “APEC Capacity Building Plan to Improve Supply Chain Performance” APEC Meeting Documents (Quingdao) 14 May 2014. Date of Access: 14 March, 2015. http://mddb.apec.org/Documents/2014/SOM/SOM2/14_som2_049anx07.pdf

³⁶⁵ “Government Report: Trade Policies And Practices By Measure” World Trade Organization (Geneva) 12 June 2014. Date of Access: 11 March, 2015. https://www.wto.org/english/tratop_e/tpr_e/tp364_e.htm

China implements and maintains several of the measures contained in the Bali package, which it began implementing before the current compliance period. But it has not implemented the minimum six measures as required for full compliance. Also, China adheres to both 5.1 and 6.1 of Article 10. Thus, China is awarded the score of 0.

Analyst: Jasper Lim

France: + 1

France has implemented and maintained all of the measures under the articles listed in the guidelines in their totality.

On 1 January 2015, France updated its code des douanes. It includes transparent and electronic published resources containing all information relating to trade procedures, duties, rules, and administrative measures, appeal procedures etc.³⁶⁶ France's Code des douanes also includes common customs procedures and uniform documentation requirements for the release and clearance of goods throughout its territory.³⁶⁷ France has maintained enquiry points on its customs website.³⁶⁸ Enquiry points are also available by phone, email or Twitter.³⁶⁹ All of this information is available on the internet fulfilling the second requirement under Article 1: Publication and Availability of Information.³⁷⁰

France fulfills the requirements under Article 3: Advance Rulings as a member of the European Union. The European Union provides information on advance rulings including the requirements for the application, the time period by which it will issue an advance ruling and the length of time for which the advance ruling is valid.³⁷¹

France fulfills the requirements under Article 7: Release and Clearance of Goods. It has maintained procedures allowing for the submission of import documentation and other required information in order to begin processing prior to the arrival of goods with a view to expediting the release of goods upon arrival. On 1 January 2013, France established an option of electronic payment for transactions exceeding EUR 5,000.³⁷²

France fulfills the requirements under Article 10: Formalities Connected With Importation and Exportation and Transit. France does not require pre-shipment inspections in relation to tariff classification and customs valuation³⁷³ and it has refrained from requiring the use of customs brokers.³⁷⁴

³⁶⁶ Code Des Douanes, Ministry of the Economy and Finance (Paris) 1 January 2015. Date of Access: 18 February 2015. <http://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006071570&dateTexte=20150222>

³⁶⁷ Code Des Douanes, Ministry of the Economy and Finance (Paris) 1 January 2015. Date of Access: 18 February 2015. <http://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006071570&dateTexte=20150222>

³⁶⁸ Douanes et Droits Indirects, Ministry of the Economy and Finance (Paris). Date of Access: 19 February 2015. <http://www.douane.gouv.fr/accueil>

³⁶⁹ Infos Douane Service, Ministry of the Economy and Finance (Paris) 27 March 2014. Date of Access: 18 February 2015. <http://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006071570&dateTexte=20150222>

³⁷⁰ Code Des Douanes, Ministry of the Economy and Finance (Paris) 1 January 2015. Date of Access: 18 February 2015. <http://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006071570&dateTexte=20150222>

³⁷¹ Renseignement tarifaire contraignant, European Commission (Brussels) 10 April 2015. Date of Access: 30 April 2015 http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/classification_goods/index_fr.htm

³⁷² French Customs Revenues Up In 2012, Tax-News (Brussels) 7 March 2013. Date of Access: 19 February 2015. http://www.tax-news.com/news/French_Customs_Revenues_Up_In_2012____60036.html

³⁷³ Généralités, Ministry of the Economy and Finance (Paris) 1 January 2015. Date of Access: 20 February 2015.

France has implemented and maintained all of the measures under the articles listed in the guidelines in their totality. France also adheres to both 5.1 and 6.1 of Article 10. Thus, France has been awarded a score of +1.

Analyst: Hélène Emorine

Germany: +1

Germany has fully complied with its commitment in implementing trade-facilitation and tariff reduction measures consistent with the articles listed in the guidelines including those listed in Article 10.

Under Article 1: Publication and Availability of Information, Germany has published the information in an accessible manner. Information concerning importation, exportation, transit procedures, and required forms and documents is present.³⁷⁵ Applied rates of duties, taxes and fees imposed on imports, exports or transit have also been provided. All of the information necessary for publication under Article 1 is present online under the headings private individuals, businesses, travelers' allowances, etc., thus fulfilling the second part of Article 1.³⁷⁶

As a member of the European Union, movement of goods in Germany is already unrestricted in principle. Germany has provided information regarding advanced rulings for tariff classification as outlined in Article 3.³⁷⁷ In addition, the German government, under Article 7, allows pre-arrival processing of goods, and the lodging of documents in electronic format. The option for payment electronically is permitted.³⁷⁸

Within Article 10: Formalities connected with Importation and Exportation and Transit, pre-shipment inspections in relation to tariff classification and customs valuation, and the use of custom brokers are not mandatory.³⁷⁹

In recent months, the German government announced on 2 December 2014, a pledge of EUR1 million to the World Trade Organization's Doha Development Agenda Global Trust Fund for 2014 to assist developing and least-developed countries to strengthen their trading capacities and

<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006138833&cidTexte=LEGITEXT000006071570&dateTexte=20150223>

³⁷⁴ Droit de Communication Particulier à l'Administration Des Douanes, Ministry of the Economy and Finance (Paris) 25 December 2007. Date of Access: 19 February 2015.

http://www.legifrance.gouv.fr/affichCodeArticle.do;jsessionid=AE9066B6A887302A59211EAF6DA85D66.tpdila16v_3?i dArticle=LEGIARTI000018036050&cidTexte=LEGITEXT000006071570&categorieLien=id&dateTexte=20150223

³⁷⁵ Zoll, German Federal Ministry of Finance (Berlin). Date of Access: 22 April 2015.

http://www.zoll.de/EN/Home/home_node.html

³⁷⁶ Duties and taxes, German Federal Ministry of Finance (Berlin). Date of Access: 22 April 2015.

http://www.zoll.de/EN/Businesses/Movement-of-goods/Import/Duties-and-taxes/duties-and-taxes_node.html

³⁷⁷ Customs Tariff, German Federal Ministry of Finance (Berlin). Date of Access: 22 April 2015.

<http://www.zoll.de/EN/Businesses/Movement-of-goods/Import/Duties-and-taxes/Normal-customs-clearance/Customs-Tariff/customs-tariff.html>

³⁷⁸ Lodging the entry summary declaration and notification of arrival, German Federal Ministry of Finance (Berlin). Date of Access: 22 April 2015. http://www.zoll.de/EN/Businesses/Movement-of-goods/Import/Duties-and-taxes/Entry-summary-declaration/Lodging-the-entry-summary-declaration-and-notification-of-arrival/lodging-the-entry-summary-declaration-and-notification-of-arrival_node.html

³⁷⁹ Procedures, German Federal Ministry of Finance (Berlin). Date of Access: 22 April 2015.

http://www.zoll.de/EN/Businesses/Movement-of-goods/Import/Procedures/procedures_node.html

participate in the Doha Round more effectively.³⁸⁰ On 9 February 2015, German Chancellor Angela Merkel said at a joint news conference in Washington that it was in Germany's interest to reach a European free trade agreement with the United States, and that Germany would ensure negotiations are pursued.³⁸¹ Germany has since expressed support for a new investment program to restart growth in Europe, adding that further structural reforms and free trade accords must be accompanied with the US and Canada.³⁸²

Germany has implemented or maintained all the measures pertaining to the Bali package as listed under the articles in the guidelines, and for encouraging free trade agreements with North America. Thus, Germany has been awarded a score of +1

Analyst: John Koester

India: -1

India has not complied with the trade-facilitation or miscellaneous measures of the Bali package.

On 14 November 2014, India reached an agreement with the United States on food stock holdings for reducing trade costs by approximately 10% for developed countries and 14% for developing countries. This allows for an easier access to the Indian market while having into consideration food security issues.³⁸³

On 26 January 2015, India informed the Dispute Settlement Body of the World Trade Organization (WTO) that it would appeal to the Appellate Body issues of law and legal interpretation in the panel report that was issued by the United States on March 2012. It contained a complain that India's import prohibition on other countries' agricultural products was inconsistent with international standards of trade.³⁸⁴

On 28 February 2015, Prime Minister Narendra Modi provided a budget for the following year in order to boost the economy. This led to an increase on tariffs of natural gas. Moreover, Finance Minister Arun Jaitley delayed the implementation of the General Anti-Avoidance Rules (GAAR) — preventing companies from avoiding taxes — to April 2017.³⁸⁵

Although India has taken action to implement some of the trade-facilitation measures or miscellaneous measures of the Bali package, it failed to comply with at least six requirements of the Bali package. Thus, India obtains a score of -1.

³⁸⁰ Germany pledges EUR 1 million to help developing countries participate in Doha Round, World Trade Organization (Geneva) 2 December 2014. Date of Access: 6 March 2015.

https://www.wto.org/english/news_e/pres14_e/pr730_e.htm

³⁸¹ Germany's Merkel says wants European trade agreement with U.S., Reuters (New York) 9 February 2015. Date of Access: 6 March 2015. <http://www.reuters.com/article/2015/02/09/europe-trade-merkel-idUSW1N0P002820150209>

³⁸² Merkel calls for reforms at EIB conference, Deutsche Welle (Berlin) 2 March 2015. Date of Access: 7 March 2015. <http://www.dw.de/merkel-calls-for-reforms-at-eib-conference/a-18289640>

³⁸³ Global Trade Deal Coming Soon After U.S.-India Agree, Bloomberg (New York) 14 November 2014. Date of Access: 1 March 2015.

<http://www.bloomberg.com/news/articles/2014-11-14/global-trade-deal-coming-soon-after-u-s-india-agree-wto-says>

³⁸⁴ Dispute Settlement: Dispute DS430 India — Measures Concerning the Importation of Certain Agricultural Products from the United States, World Trade Organization (Geneva) 6 February 2015. Date of Access: 1 March of 2015.

https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds430_e.htm#top

³⁸⁵ Modi's Pro-Growth Budget Keeps India's Subsidies Untouched, Bloomberg (New Delhi) 28 February 2015. Date of Access: 1 March 2015. <http://www.bloomberg.com/news/articles/2015-02-28/modi-diverges-from-india-budget-deficit-path-to-boost-growth>

Indonesia: 0

Indonesia has partially complied with the effort to implement or maintain the measures under each of the articles listed in the guidelines.

Under Article 1, Indonesia has partially published required information related to the guidelines online.³⁸⁶ Procedures relating to importation, exportation, transit are available. Indonesia outlines applied rates of duties and taxes, other fees, classification guidelines, and restrictions. Penalty provisions against breaches of trade formalities, appeal procedures, and international agreements are not posted, or are inaccessible. Information is limited as to exclude required forms and documents, and is limited to its translation to other languages and third-party websites.³⁸⁷ For most specialized information contacting the customs office is required.

As to Article 3: Advance Rulings, customs clearance procedure for entry prior to clearance and tariff classification declaration is available on the Mission of Indonesia to the European Communities Website. Indonesia has partially implemented Article 7, but only limited information is available on the procedure for the release of goods.³⁸⁸

As to most of Articles 7 and 10, there is a lack of information published and limited translation and therefore Indonesia's compliance toward those articles cannot be assessed.

In recent months, Indonesia has encouraged world leaders for the implementation of the trade agreement, as a basis to settle the Doha Round of negotiations, and made strides to improve customs procedures to improve foreign relations.³⁸⁹

Indonesia has partially complied with the trade-facilitation agreement commitment in maintaining some of the measures, but failing to address current trade restriction policies and measures during the compliance-monitoring period. Thus, Indonesia is awarded a score of 0.

Analyst: John Koester

Italy: -1

Italy has failed to comply with its commitment to implementing the Bali package.

Italy fails to publish the clearance times for imports in a consistent and uniform manner. Moreover, improvement is required to reduce the average clearance time of imported goods, as well as the simplification of procedures regarding imports/exports.³⁹⁰

³⁸⁶ Beacukai, Indonesia Customs (Jakarta). Date of Access: 22 April 2015. <http://www.beacukai.go.id/www/bcgoid/index.html>

³⁸⁷ Customs Clearance Procedure, Mission of Indonesia to the European Communities (Brussels). Date of Access: 22 April 2015. <http://www.indonesianmissioneu.org/website/page20379569520030919378945.asp#3>

³⁸⁸ Customs Clearance Procedure, Mission of Indonesia to the European Communities (Brussels). Date of Access: 22 April 2015. <http://www.indonesianmissioneu.org/website/page20379569520030919378945.asp#3>

³⁸⁹ RI calls for immediate implementation of Bali package, Jakarta Post (Jakarta) 25 January 2015. Date of Access: 7 March 2015. <http://www.thejakartapost.com/news/2015/01/25/ri-calls-immediate-implementation-bali-package.html>

³⁹⁰ OECD Trade Facilitation Indicators—Italy, OECD: Better Policies for Better Lives, April 2014, Date of Access: February 28, 2015,

Italy is a member of the European Union (EU). This results in a degree of uniformity of import/export regulations. The full extent is difficult to determine due to the lack of information from Italian government sources.

Given that Italy has not published the pertinent information, there is no record of relevant policies that demonstrate compliance with this commitment. Thus, Italy is awarded a score of -1.

Analyst: Kevin Deagle

Japan: 0

Japan has implemented or maintained measures under each of the articles listed in the guidelines, but not in their totality. Japan has adhered fully to Article 10.

Japan fulfilled many of the requirements under Article 1: Publications and Availability of Information, but not in their totality. Japan has established transparent and electronic resources containing information relating to trade procedure, required forms and documents.³⁹¹ Japan has made available the applied rates of duties, taxes, fees and charges for in accordance with import or export.³⁹² Japan also provides rules for classification or valuation of products for customs purposes, including special agreements with countries regarding trade.³⁹³ Japan outlines the laws, regulation and administrative rulings related to rules of origin for trade.³⁹⁴ Japan provides a list of import, export or transit restrictions.³⁹⁵

Japan has not provided penalty provisions against breaches of import or export formalities. Japan has not created an administrative authority for any person with a customs issue. Japan is reliant upon the conditions set out by the Economic Partnership Agreements to settle disputes between states and the Japan Commercial Arbitration Association for commercial disputes.^{396,397}

Japan has some procedures relating to the administration of tariff quotas.³⁹⁸ All of this information is publically available, including the forms and documents required for import, export and transit. Japan also provides contact information for enquiry points.³⁹⁹

³⁹¹ Trade Control Policy Overview, Ministry of Economy, Trade and Industry (Tokyo) 27 February 2015. Date of Access 28 February 2015. http://www.meti.go.jp/english/policy/external_economy/trade_control/index.html

³⁹² Outline of Tariff and Duty Rates System, Japan Customs (Tokyo) 2 January 2015. Date of Access: 28 February 2015. <http://www.customs.go.jp/english/summary/tariff.htm>

³⁹³ Japan Custom Tariff Schedule, Japan Tariff Association (Tokyo) 15 January 2015. Date of Access: 8 March 2015. <http://www.kanzei.or.jp/english/statistical/tariff/top/index/e>

³⁹⁴ Outline of Rules of Origin for GSP Scheme in Japan, Japan Customs (Tokyo) 8 January 2014. Date of Access: 7 March 2015. http://www.customs.go.jp/english/origin/rules_of_origin_gsp.pdf

³⁹⁵ 2001 Articles Prohibited from Importation, Japan Customs (Tokyo) 5 January 2012. Date of Access: 6 March 2015. http://www.customs.go.jp/english/c-answer_e/kinseihin/2001_e.htm

³⁹⁶ Settlement of Disputes Between States, Improvement of the Business Environment, Ministry of Economy, Trade and Industry (Tokyo) 23 September 2012. Date of Access: 28 February 2015. http://www.meti.go.jp/english/report/downloadfiles/2012WTO/03_08.pdf

³⁹⁷ Japan Commercial Arbitration Association International Commercial Mediation Rules, Japan Commercial Arbitration Association (Tokyo) 1 January 2009. Date of Access: 26 February 2015. <http://www.jcaa.or.jp/e/mediation/docs/rules.pdf>

³⁹⁸ Tariff Quota, Japan Customs (Tokyo) 4 January 2012. Date of Access: 8 March 2015. <http://www.customs.go.jp/tokyo/english/yubin/kanwari.htm>

³⁹⁹ Inquiry, Japan Customs (Tokyo) 6 January 2013. Date of Access: 8 March 2015. http://www.customs.go.jp/question_e.htm

Under Article 3: Advanced Rulings, Japan has an Advance Classification Ruling System and provides information on the documents provided and the format necessary. It does not give a time period by which it will issue an advance ruling but does give the length of time the advance ruling is valid.⁴⁰⁰

Japan has fulfilled the requirements of Article 7: Release and Clearance of Goods. Japan also maintained procedures allowing for the submission of import documentation to begin processing prior to the arrival of goods to expedite their release on arrival.⁴⁰¹ This includes the advance lodging of documents in electronic format for pre-arrival processing. Electronic payment is available for duties, taxes, fees and charges.⁴⁰² Finally, under Article 10: Formalities Connected with Importation and Exportation and Transit, Japan does not require the use of customs brokers or pre-shipment inspections in relation to tariff classification and customs valuation.⁴⁰³

Japan has implemented or maintained measures under each of the articles listed in the guidelines, but not in their totality. Japan has adhered fully to Article 10. Thus, Japan is awarded a score of 0.

Analyst: Anna Hobenadel

Korea: 0

Korea has partially complied with its commitment to implement and/or maintain all of the measures under the articles listed in the guidelines.

Korea fulfills the requirements under Article 1: Publication and Availability of Information under the Bali package. The Korea Customs Service (KCS) agency has importation, exportation, and transit procedures published on their website, along with the required documentation and forms.^{404,405,406} The customs website also has a search engine that allows for the search of all applicable import, export, and transit rates and duties, along with the fees and charges imposed by or for governmental agencies, including the distinctions between countries.⁴⁰⁷ Korea also provides the rules for the classification or valuation of products for customs purposes,⁴⁰⁸ as well as laws, regulations, and

⁴⁰⁰ Advance Classification Ruling System, Japan Customs (Tokyo) 8 January 2013. Date of Access: 8 March 2015.

http://www.customs.go.jp/english/c-answer_e/imtsukan/1202_e.htm

⁴⁰¹ Outline of Tariff and Duty Rates System, Japan Customs (Tokyo) 2 January 2015. Date of Access: 28 February 2015.

<http://www.customs.go.jp/english/summary/tariff.htm>

⁴⁰² Outline of Tariff and Duty Rates System, Japan Customs (Tokyo) 2 January 2015. Date of Access: 28 February 2015.

<http://www.customs.go.jp/english/summary/tariff.htm>

⁴⁰³ Details of Japan Customs Valuation System, Japan Customs (Tokyo) 5 January 2015. Date of Access: 28 February 2015. http://www.customs.go.jp/english/summary/value_details.htm

⁴⁰⁴ Import Customs System, Korea Customs Service (Deajeon). Date of Access: 8 March 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001332&layoutMenuNo=21051

⁴⁰⁵ Flow chart of the export customs, Korea Customs Service (Deajeon). Date of Access: 8 March 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001337&layoutMenuNo=21057

⁴⁰⁶ Customs Declaration Form, Korea Customs Service (Deajeon). Date of Access: 10 April 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001321&layoutMenuNo=21034

⁴⁰⁷ KCS Tariff D/B(Inquiry), Korea Customs Service (Deajeon). Date of Access: 10 April 2015.

<http://english.customs.go.kr/kcshome/tariff/CustomsTariffList.do?layoutMenuNo=21025>

⁴⁰⁸ The Method of Deciding Taxable Value, Korea Customs Service (Deajeon). Date of Access: 10 April 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001343&layoutMenuNo=21065

administrative rulings of general application regarding the rules of origin,⁴⁰⁹ including the procedure of how to prove the origin.⁴¹⁰ Korea provides information of restricted or prohibited items for exports and imports along with the penalty provisions for the associated formality breaches.^{411,412,413,414} Korea also provides the detailed procedure of its customs appeals process on its Customs Act.⁴¹⁵ The KCS publishes its free trade agreements along with the associated tariff quota administrations when applicable.^{416,417} All of this information is available on the internet, including the availability of a question-and-answer section that accepts inquiries from the general public on the KCS website.⁴¹⁸

Korea maintains its advance rulings information availability measures as presented on the KCS website in accordance to Article 3: Advanced Rulings of the Bali Package.⁴¹⁹

On an April 2014 report by the Organisation for Economic Co-operation and Co-operation (OECD), Korea was shown to have trade facilitator indicators that were significantly better than the OECD average in the areas of appeal procedures, simplification and harmonization of documents, automation, border agency cooperation (internal and external) and was on par with the average for information availability, advance rulings, streamlining of procedures and governance and impartiality. Korea's performance on the involvement of the trade community, fees, and charges showed to be below average. Among the suggested improvements proposed by the OECD were an increase in fees transparency and an increase in the percentage of import and export documents submitted to customs that would benefit from pre-arrival processing, as recommended on Article 7: Release and

⁴⁰⁹ Labeling System of Country of Origin, Korea Customs Service (Deajeon). Date of Access: 10 April 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001342&layoutMenuNo=21063

⁴¹⁰ Procedures for Proving the Origin, Korea Customs Service (Deajeon). Date of Access: 10 April 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001324&layoutMenuNo=21040

⁴¹¹ Checking the conditions of import and export, Korea Customs Service (Deajeon). Date of Access: 10 April 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001340&layoutMenuNo=21061

⁴¹² Protection of Intellectual Property, Korea Customs Service (Deajeon). Date of Access: 10 April 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001341&layoutMenuNo=21062

⁴¹³ Drug crime, Korea Customs Service (Deajeon). Date of Access: 10 April 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001346&layoutMenuNo=21070

⁴¹⁴ Security Hazard Articles, Korea Customs Service (Deajeon). Date of Access: 10 April 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001351&layoutMenuNo=21075

⁴¹⁵ Customs Act, Korea Customs Service (Daejon) 2001. Date of Access: 10 April 2015.

http://export.gov/southkorea/static/Customs%20Act_Latest_eg_kr_029661.pdf

⁴¹⁶ KOREA-US FTA, Korea Customs Service (Daejon). Date of Access: 10 April 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000002365&layoutMenuNo=23273

⁴¹⁷ KOREA-ASEAN FTA, Korea Customs Service (Daejon). Date of Access: 10 April 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000002361&layoutMenuNo=23269

⁴¹⁸ Information Plaza, Korea Customs Service (Deajeon). Date of Access: 8 March 2015.

<http://www.customs.go.kr/kcshome/main/qna/QnaList.do?layoutMenuNo=21035>

⁴¹⁹ HS Code, Korea Customs Service (Deajeon). Date of Access: 8 March 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000002333&layoutMenuNo=23255

Clearance of Goods of the Bali Package.⁴²⁰ The KCS outlines the methods of electronic payment of tax and tariff fees on their agency website.⁴²¹

Korea has not made any alterations to its decision of not requiring the use of customs brokers for cargo processing and paperwork, as well as not requiring the use of pre-shipment inspections in relation to tariff classification and customs valuation, in compliance with Article 10: Formalities Connected with Importation and Exportation and Transit of the Bali Package guidelines.⁴²²

Korea has maintained its measures that aim at trade facilitation and the reduction of administrative costs and waiting times for multilateral trade. These measures are also aimed at enhancing the predictability and transparency of customs procedures. Korea has participated in trade-facilitation negotiations by submitting and co-sponsoring proposals on topics in areas such as Single Window, release time of goods, and risk management together with the World Trade Organization (WTO).⁴²³

According to the WTO's South Korea Trade Policy Review, Korea attaches high priority to making its trade laws transparent and readily available, including to foreigners, with many laws available in English on internet websites maintained by the relevant ministries and agencies.⁴²⁴

South Korea was one of the first countries to automate customs procedures and has one of the least expensive documentation and customs cost in the world, USD70 per 20-foot equivalent unit (TEU), contrasting to USD195 per TEU which is the median among countries with Single Window options. Korea's Single Window program allowed for the reduction on license approval time which contributed to a reduction of 25-33% in total export time.⁴²⁵

Korea has maintained most of the measures in compliance with the articles present in the Bali package, including those listed in Article 10, however, it has not taken effective steps to further optimize its electronic pre-arrival processing documentation availability. Therefore, Korea has been awarded a score of 0.

Analyst: Artur Pereira

Mexico: 0

Mexico has partially complied with the trade-facilitation or miscellaneous measures of the Bali package.

On 23 September 2014, the four members of the Pacific Alliance — Chile, Colombia, Mexico and Peru — met in New York City to discuss the integration of the alliance into the global market. The

⁴²⁰ OECD Trade Facilitation Indicators – Korea, OECD Trade and Agriculture Directorate (Paris), April 2014. Date of Access: 8 March 2015. <http://www.oecd.org/tad/facilitation/korea-oecd-trade-facilitation-indicators-april-2014.pdf>

⁴²¹ Tax Payment, Korea Customs Service (Deajeon). Date of Access: 10 April 2015.

http://www.customs.go.kr/kcshome/main/content/ContentView.do?contentId=CONTENT_ID_000001344&layoutMenuNo=21066

⁴²² Small and Medium Enterprises (SME) Adjustments to Information Technology (IT) in Trade Facilitation: The South Korean Experience, Asia-Pacific Research and Training Network on Trade (Seoul), January 2009. Date of Access: 8 March 2015. <http://www.unescap.org/sites/default/files/AWP%20No.%2061.pdf>

⁴²³ Full report - World Trade Organization, World Trade Organization (Seoul), 15 August 2012. Date of Access: 8 March 2015. www.wto.org/english/tratop_e/tpr_e/g268_e.doc

⁴²⁴ Trade Policy Review: Republic of Korea, World Trade Organization Secretariat (Seoul), 21 September 2012. Date of Access: 8 March 2015. https://www.wto.org/english/tratop_e/tpr_e/s268_sum_e.pdf

⁴²⁵ Enabling Trade: Catalysing Trade Facilitation Agreement Implementation in Brazil, World Economic Forum (Geneva), January 2015. Date of Access: 8 March 2015.

http://www3.weforum.org/docs/WEFUSA_EnablingTrade_Brazil_Report2015.pdf

President of Mexico Enrique Peña Nieto confirmed that the member countries have reached an agreement which entails eliminating tariffs for 92% of goods. This will provide easier interaction between the countries.⁴²⁶

On 4 February 2015, Mexico's stock exchange Bolsa Mexicana de Valores provided investors with the ability to trade stocks from Latin American countries such as Peru and Colombia over a single platform. The Chief Executive Officer Jose-Oriol Bosch explains that this opens Mexican market to new opportunities due to the Latin American Integrated Market (MILA) — it puts the stocks of Mexico, Peru, Colombia and Chile under the same framework.⁴²⁷

Although Mexico implemented some of the trade-facilitation measures or miscellaneous measures of the Bali package, it only maintained six requirements of the Bali package. Thus, Mexico obtains a score of 0.

Analyst: Arturo Sparks

Russia: 0

Russia has partially complied with the commitment on trade.

The Eurasian Economic Commission website contains all the information under Article 1, including:

- Importation, exportation and transit procedures and required forms and documents.⁴²⁸
- Applied rates of duties and taxes of any kind imposed on or in connection with importation or exportation, and fees and charges imposed by or for governmental agencies on or in connection with importation, exportation or transit, procedures relating to the administration of tariff quotas, and rules for the classification or valuation of products for customs purposes.⁴²⁹
- Laws, regulations and administrative rulings of general application relating to rules of origin.⁴³⁰
- Import, export or transit restrictions or prohibitions.⁴³¹
- Penalty provisions against breaches of import, export or transit formalities and appeal procedures.⁴³²

⁴²⁶ The Presidents of the Pacific Alliance in New York City, Alianza Pacifico (New York) 23 September 2014. Date of Access: 1 March 2015 <http://alianzapacifico.net/en/the-presidents-of-the-pacific-alliance-in-new-york-city/>

⁴²⁷ Mexico Bourse CEO Open to Brazil Talks as MILA Focus Remains, Bloomberg (Mexico City) 4 February 2015. Date of Access: 2 March 2015 <http://www.bloomberg.com/news/articles/2015-02-04/mexico-exchange-ceo-open-to-brazil-talks-as-focus-stays-on-mila>

⁴²⁸ Notification form, Eurasian Economic Commission. Date of access: 15 May 2015. <http://www.eurasiancommission.org/en/docs/Pages/notiform.aspx>.

⁴²⁹ Common Customs Tariff of the Customs Union, Eurasian Economic Commission. Date of access: 15 May 2015. <http://www.eurasiancommission.org/en/act/trade/catr/ett/Pages/default.aspx>.

⁴³⁰ Technical Regulation and Accreditation Department, Regulatory framework, Eurasian Economic Commission. Date of access: 15 May 2015.

<http://www.eurasiancommission.org/en/act/texnreg/deptexreg/normbaza/Pages/normbaza.aspx>.

⁴³¹ Single list of goods subject to prohibitions or restrictions on import or export by the Customs Union member states within the EurAsEC when trading with third countries and Provisions on application of restrictions, Eurasian Economic Commission. Date of access: 15 May 2015.

http://www.eurasiancommission.org/en/act/trade/catr/nontariff/Pages/ediny_perechen.aspx.

- Agreements or parts thereof with any country or countries relating to importation, exportation or transit.⁴³³

As for the Article 3, the Eurasian Commission website does not contain information on the time period by which it will issue an advance ruling and the length of time for which the advance ruling is valid.

The Eurasian Commission website provides for the opportunity to fill the notification form online, thus, conforming to the rules set out in the Article 7.⁴³⁴

The Eurasian Economic Union does not maintain measures requiring the use of pre-shipment inspections in relation to tariff classification and customs valuation or the mandatory use of customs brokers.

Russia, being a member of the Eurasian Economic Union, maintains measures under each of the articles listed in the guidelines, but not in their totality. Thus, Russia is awarded a score of 0 for partially complying with the commitment.

Analyst: Andrei Sakharov

Saudi Arabia: –1

Saudi Arabia has failed to implement or maintain measures under Article 3: Advance Rulings and Article 7: Release and Clearance of Goods.

Saudi Arabia fulfills the requirements under Article 1: Publication and Availability of Information under the Bali package. Saudi Arabia has maintained transparent and electronic published resources containing all information relating to trade procedures, duties, rules, administrative measures, appeal procedures etc.⁴³⁵ Saudi Arabia has maintained enquiry points on its website and by telephone.⁴³⁶ All this information is available on the internet fulfilling the second requirement under Article 1: Publication and Availability of Information.⁴³⁷

Saudi Arabia does not fulfill the requirements under Article 3: Advance Rulings. It has not published the requirements for the application for an advance ruling, the time period by which it will issue an advance ruling or the length of time for which the advance ruling is valid.⁴³⁸

⁴³² Agreement on modalities of criminal and administrative penalties for breaching customs laws of the Customs Union or members thereof, Eurasian Economic Commission. Date of access: 15 May 2015.

<http://www.eurasiancommission.org/docs/Download.aspx?IsDlg=0&ID=4193&print=1>.

⁴³³ International agreements, Eurasian Economic Commission. Date of access: 15 May 2015.

[https://docs.eaeunion.org/en-us/Pages/AllDocuments.aspx#npbdocumentbelongstaxId=\[{%22id%22:%22b591e83f-0f9a-4fce-8760-758ac7690c84%22,%22title%22:%22%D0%9C%D0%B5%D0%B6%D0%B4%D1%83%D0%BD%D0%B0%D1%80%D0%BE%D0%B4%D0%BD%D1%8B%D0%B5%20%D0%B4%D0%BE%D0%B3%D0%BE%D0%B2%D0%BE%D1%80%D1%8B%22}\]](https://docs.eaeunion.org/en-us/Pages/AllDocuments.aspx#npbdocumentbelongstaxId=[{%22id%22:%22b591e83f-0f9a-4fce-8760-758ac7690c84%22,%22title%22:%22%D0%9C%D0%B5%D0%B6%D0%B4%D1%83%D0%BD%D0%B0%D1%80%D0%BE%D0%B4%D0%BD%D1%8B%D0%B5%20%D0%B4%D0%BE%D0%B3%D0%BE%D0%B2%D0%BE%D1%80%D1%8B%22}]).

⁴³⁴ Notification form, Eurasian Economic Commission. Date of access: 15 May 2015.

<http://www.eurasiancommission.org/en/docs/Pages/notiform.aspx>.

⁴³⁵ Laws and Regulations, Ministry of Commerce and Industry (Riyadh) 5 February 2014. Date of Access: 25 February 2015. <http://mci.gov.sa/en/LawsRegulations/Pages/default.aspx>

⁴³⁶ Contact Us, Ministry of Commerce and Industry (Riyadh) 8 December 2013. Date of Access: 25 February 2015.

<http://mci.gov.sa/en/ContactUs/Pages/default.aspx>

⁴³⁷ Laws and Regulations, Ministry of Commerce and Industry (Riyadh) 5 February 2014. Date of Access: 25 February 2015. <http://mci.gov.sa/en/LawsRegulations/Pages/default.aspx>

⁴³⁸ Rules and Regulations of Saudi Customs, Ministry of Finance (Riyadh) 2011. Date of Access: 30 April 2015

Saudi Arabia does not fulfill the requirements under Article 7: Release and Clearance of Goods. It has not adopted procedures allowing for pre-arrival processing⁴³⁹ and has not established an option of electronic payment for duties, taxes, fees and charges collected by customs incurred upon importation or exportation.⁴⁴⁰

Saudi Arabia fulfills the requirements under Article 10: Formalities Connected With Importation and Exportation and Transit. Saudi Arabia does not require pre-shipment inspections in relation to tariff classification and customs valuation.⁴⁴¹ It also has not introduced the mandatory use of custom brokers.⁴⁴²

Saudi Arabia has not implemented the measures under any of the articles listed in the guidelines. Thus, Saudi Arabia has been awarded a score of -1.

Analyst: Hélène Emorine

South Africa: +1

South Africa has implemented or maintained all the measures under the articles listed in the guidelines including those of Article 10.

South Africa has published the required information as required by Article 1: Publication and Availability of Information of Information.⁴⁴³ South Africa has established transparent and electronic published resources containing information relating to trade procedures and required forms and documents. The South African customs administration offers a comprehensive traveler processing document, and several other resources, that outline the external directives for traveler processing and customs administration.⁴⁴⁴ Published online are the importation, exportation and transit procedures, as well as applied rates of duties, taxes and fees of any kind.⁴⁴⁵ Penalties and appeal procedures against decisions are provided.⁴⁴⁶

From Article 3, procedures for advanced rulings are described in a detailed manner. Applications for advance rulings are done through eFiling. A number of resources are available to assist individuals'

http://www.customs.gov.sa/CustomsNew/rules/sRules_E.aspx

⁴³⁹ General Requirements of Import, Ministry of Finance (Riyadh). Date of Access: 25 February 2015

http://www.customs.gov.sa/CustomsNew/rules/sUnitedRulesDetails_E.aspx?ch_id=5&chname=Importation%20and%20Exportation

⁴⁴⁰ Explanation of Payment Method For Transaction Value of Imported or Exported Goods, Ministry of Finance (Riyadh). Date of Access: 25 February 2015.

http://www.customs.gov.sa/CustomsNew/advices/ETameemDetails.aspx?RecordId=1&Search_Str=payment

⁴⁴¹ Principles for Application of the Customs Tariff, Ministry of Finance (Riyadh). Date of Access: 25 February 2015.

http://www.customs.gov.sa/CustomsNew/rules/sItemDetail_E.aspx?chid=2&chname=Principles%20for%20Application%20of%20the%20Customs%20Tariff

⁴⁴² Customs Broker, Ministry of Finance (Riyadh). Date of Access: 25 February 2015.

http://www.customs.gov.sa/customsnew/rules/sItemDetail_E.aspx?chid=10&clid=0&Search_Str=brokers

⁴⁴³ Customs & Excise, SARS (Pretoria) 20 January 2015. Date of Access: 22 April 2015.

<http://www.sars.gov.za/ClientSegments/Customs-Excise/Pages/default.aspx>

⁴⁴⁴ Processing, SARS (Pretoria) 26 February 2013. Date of Access: 5 May 2015.

<http://www.sars.gov.za/ClientSegments/Customs-Excise/Processing/Pages/default.aspx>

⁴⁴⁵ Customs & Excise, SARS (Pretoria) 20 January 2015. Date of Access: 5 May 2015.

<http://www.sars.gov.za/ClientSegments/Customs-Excise/Pages/default.aspx>

⁴⁴⁶ Processing, SARS (Pretoria) 26 February 2013. Date of Access: 5 May 2015.

<http://www.sars.gov.za/ClientSegments/Customs-Excise/Processing/Pages/default.aspx>

applications that list the requirements, the time period, and the length of time for which the advance ruling is valid.⁴⁴⁷

South Africa follows Article 7: Release and Clearance of Goods, by allowing for the processing of goods before their arrival and the lodging of documents in electronic format.⁴⁴⁸ A number of electronic payment methods are available for duties, taxes, fees, and charges collected by the customs.⁴⁴⁹ South Africa has also met the condition of not requiring pre-shipment inspections and customs brokers according to Article 10: Formalities Connected with Importation and Exportation and Transit.⁴⁵⁰

Since 2000, South Africa had in place duties against imports of certain US chicken products. Though South Africa and the US are working together on a program for increased market access between the two respective nations, South Africa has been reluctant in receding its trade barriers.⁴⁵¹

South Africa has implemented and maintained all the measures under the articles listed in the guidelines. Thus, South Africa is awarded a score of +1.

Analyst: John Koester

Turkey: -1

Turkey has failed to comply with its commitment to implement the Bali package.

No conclusive information is available from the Government of Turkey verifying that it has complied with and/or implemented any of the trade and miscellaneous measures of the Bali package.

Thus, Turkey is awarded a score of -1.

Analyst: Nour Chehabeddine

United Kingdom: +1

The United Kingdom has fully complied with all the measures under the articles listed in the guidelines including those listed in Article 10.

The UK has fulfilled all of the requirements for Article 1: Publication and Availability of Information. It has established transparent and electronic published resources containing information relating to trade procedures and required forms and documents.⁴⁵² It also provides the applied rates of duties, taxes, fees and charges in relation to imports, exports and transit.⁴⁵³ It also provides information on

⁴⁴⁷ Rulings, SARS (Pretoria) 16 April 2014. Date of Access: 5 May 2015.

<http://www.sars.gov.za/Legal/TaxAdmin/Pages/Rulings.aspx>

⁴⁴⁸ Pre-Assessment, SARS (Pretoria) 26 February 2013. Date of Access: 5 May 2015.

<http://www.sars.gov.za/ClientSegments/Customs-Excise/Processing/Pre-assessment/Pages/default.aspx>

⁴⁴⁹ Make a payment, SARS (Pretoria) 1 April 2015. Date of Access: 5 May 2015.

<http://www.sars.gov.za/ClientSegments/Individuals/How-Pay/Pages/Payment.aspx>

⁴⁵⁰ Tariff, SARS (Pretoria) 20 January 2015. Date of Access: 5 May 2015.

<http://www.sars.gov.za/ClientSegments/Customs-Excise/Pages/Tariff.aspx>

⁴⁵¹ South Africa, US Seek Solution on Poultry Row Ahead of AGOA Renewal, International Centre for Trade and Sustainable Development (Geneva) 29 January 2015. Date of Access: 7 March 2015. <http://www.ictsd.org/bridges-news/bridges/news/south-africa-us-seek-solution-on-poultry-row-ahead-of-agoa-renewal>

⁴⁵² Trading in the EU, UK Trade and Investment (London) 1 January 2015. Date of Access: 28 February 2015.

<https://www.gov.uk/trading-in-the-eu>

⁴⁵³ Trade Tariff Tool, UK Trade and Investment (London) 9 March 2015. Date of Access: 9 March 2015.

<https://www.gov.uk/trade-tariff/sections>

the rules for classification or valuation of products for customs purposes.⁴⁵⁴ It provides the laws, regulations and administrative rulings for rules of origin or trade agreements with various countries.⁴⁵⁵ The country also provides an extensive list of the import, export and transit restrictions or prohibitions.⁴⁵⁶ The UK publishes penalty provisions against breaches of import, export or transit formalities.⁴⁵⁷ Individuals with customs issues have the right to administrative appeal by an authority higher than the office that issued the decision through the Tax Tribunal.⁴⁵⁸ The UK also provides information and procedures relating to the administration of tariff quotas.⁴⁵⁹ All this information is available on the internet, including all the forms and documents required for trade. The UK has also maintained an enquiry point to answer reasonable questions of governments, traders and interested parties regarding trade procedures or to comment on the introduction or amendment of laws regarding trade.⁴⁶⁰

Under Article 3: Advance Ruling, the UK has established a program for binding tariff information rulings. The information provided gives the requirements for a ruling, including the information needed and the format, the time period it will be issued and the length of time the ruling will be valid.⁴⁶¹

The UK has also fulfilled the requirements of Article 7: Release and Clearance of Goods. Through the Single Administrative Document, the UK has allowed for the submission of import documentation to begin processing prior to the arrival of the goods.⁴⁶² The requirements necessary are different for European Union member and non-EU members. This includes the length of time it will take to issue a ruling and the length of time it is valid. The UK also offers the option of electronic payment for duties and fees collection by customs during import and export.⁴⁶³

Finally, the UK has fulfilled the requirements under Article 10: Formalities Connected with Importation and Exportation and Transit. The use of a customs broker for trade is optional but not

⁴⁵⁴ Classify Imports and Exports using the UK Trade Tariff, HM Revenue and Customs (London) 13 June 2013. Date of Access: 28 February 2015. <https://www.gov.uk/browse/business/imports-exports/classification-of-goods>

⁴⁵⁵ Rules of Origin for Imported and Exported Goods, HM Revenue and Customs (London) 13 June 2013. Date of Access: 8 March 2015. <https://www.gov.uk/rules-of-origin>

⁴⁵⁶ Current Arms Embargoes and Other Restrictions, Department for Business, Innovation & Skills (London) 11 September 2014. Date of Access: 7 March 2015. <https://www.gov.uk/current-arms-embargoes-and-other-restrictions>

⁴⁵⁷ Archiving your Trade Documents, HM Revenue and Customs (London) 14 June 2014. Date of Access 8 March 2015. <https://www.nibusinessinfo.co.uk/content/penalty-regimes-and-archiving-your-international-trade-documents>

⁴⁵⁸ Appeal to the Tax Tribunal, Government of United Kingdom (London) 12 February 2015. Date of Access: 28 February 2015. <https://www.gov.uk/tax-tribunal>

⁴⁵⁹ Duty Suspensions and Tariff Quotas, Department for Business, Innovation & Skills (London) 27 February 2015. Date of Access: 4 March 2015. <https://www.gov.uk/duty-suspensions-and-tariff-quotas>

⁴⁶⁰ Removing Trade Barriers for UK Exporters, Department for Business, Innovation & Skills (London) 9 October 2012. Date of Access 27 February 2015. <https://www.gov.uk/removing-trade-barriers-for-uk-exporters>

⁴⁶¹ Binding Tariff Information Rulings, HM Revenue and Customs (London) 12 February 2004. Date of Access: 4 March 2015. <https://www.gov.uk/binding-tariff-information-rulings#page-navigation>

⁴⁶² The Single Administrative Document for Import and Export, HM Revenue and Customs (London) 13 June 2013. Date of Access: 28 February 2015. <https://www.gov.uk/declarations-and-the-single-administrative-document>

⁴⁶³ Log in to use VAT Online Services, HM Revenue and Customs (London) 3 February 2014. Date of Access: 28 February 2015. <https://www.gov.uk/send-vat-return>

mandatory.⁴⁶⁴ Pre-shipment inspections in relation to tariff classification and custom valuation are not required.⁴⁶⁵

The UK has implemented or maintained all the measures in the Bali package under the articles listed in the guidelines including those listed in Article 10. Thus, The United Kingdom is awarded a score of +1.

Analyst: Anna Hobenadel

United States: +1

The United States has fully complied with its commitment to implement the Bali package.

The US complies to the maintenance of transparent and electronic published resources containing information relating to trade procedures, duties, rules, administrative measures, appeal procedures, etc.⁴⁶⁶

The US Customs and Border Protection website features a helpful question-and-answer tool that addresses the questions other traders, or interested parties might have regarding trade-related matters.

Any person to whom customs issues an administrative decision is entitled to submit an administrative appeal of initial determination to the government, under Title 19, Chapter I, Part 103, Subpart A, Section 103.7 of the US Code of Federal Regulations.⁴⁶⁷

According to the US Customs and Border Protection agency, the necessary documents can only be obtained no more than a week prior to the expected arrival of goods in port; processing of documents takes at minimum 16 working hours.⁴⁶⁸

The US Customs and Border Protection agency possesses a number of interactive contact options on their website, including a live chat feature, a phone number, and address.

Electronic payment of customs fees is made possible by the Automated Clearinghouse Credit, which allows users to pay their fees online.

The US maintains a number of documents and regulations that ensure common customs procedures and uniform documentation requirements across the country.⁴⁶⁹

The US allows importers to make entry on their own without the use of customs brokers, but acknowledge that many first time importers and exporters consult a licensed customs broker.⁴⁷⁰

⁴⁶⁴ The Single Administrative Document for Import and Export, HM Revenue and Customs (London) 13 June 2013. Date of Access: 28 February 2015. <https://www.gov.uk/declarations-and-the-single-administrative-document>

⁴⁶⁵ Open Individual Export Licenses, Department for Business, Innovation and Skills (London) 13 February 2015. Date of Access: 28 February 2015. <https://www.gov.uk/open-individual-export-licences>

⁴⁶⁶ U.S. Customs and Border Protection, About Foreign Trade Zones and Contact Info (Washington) Date of Access: 28 February 2015. <http://www.cbp.gov/border-security/ports-entry/cargo-security/cargo-control/foreign-trade-zones/about>

⁴⁶⁷ Cornell University Law School, 19 CFR 103.7- Administrative Appeal of Initial Determination (Ithica) 22 March 1999. Date of Access: February 28, 2015, <https://www.law.cornell.edu/cfr/text/19/103.7>

⁴⁶⁸ U.S. Customs and Border Protection, Filing a Formal Entry, (Washington) 14 May 2014. [https://help.cbp.gov/app/answers/detail/a_id/214/~/filing-a-formal-entry-\(for-goods-valued-at-\\$2500-or-more\)](https://help.cbp.gov/app/answers/detail/a_id/214/~/filing-a-formal-entry-(for-goods-valued-at-$2500-or-more))

⁴⁶⁹ U.S. Customs and Border Protection, Customs Procedures, (Washington) Date of Access: 28 February 2015. <http://www.cbp.gov/trade/nafta/customs-procedures>

The US does not require pre-shipment inspections in relation to tariff classification and customs valuation.⁴⁷¹

While the US does not employ public stockholding practices for food security purposes, it nonetheless provides its domestic farmers with massive subsidies that have been charged with distorting international trade by the Appellate Body of the World Trade Organization (WTO).⁴⁷² The US stands as one of the major parties in the disagreement between developed and developing nations regarding the public stockholding program. Its performance on this issue is mixed.

The US Customs and Border Protection agency keeps up-to-date reports of the fill-rates of for tariff quotas as well as giving the date and time of quotas already filled. It includes a current graph report, year-end reports, a fill list for trade preference levels and tariff rate quotas, and a historical fill list for trade preference levels.⁴⁷³

The recent trade agreement aimed at reducing trade barriers between the US and the African states of Burundi, Rwanda, Tanzania and Uganda is a promising step towards the development of a process to develop positive agreements regarding imports with least-developed countries.

The United States currently adheres to many of the Bali declarations, especially regarding transparency, accessibility of information, and accountability.

Important trade issues are easily accessible electronically on the US Customs and Border Protection Agency and on the Office of the US Trade Representative website.

The United States recently signed trade agreements with the African states of Burundi, Rwanda, Tanzania and Uganda in a bid to promote free trade and to reduce barriers to trade between the US and the East African Community trading bloc. The agreement commits stakeholder countries to undertake customs reforms as recommended under the WTO Trade Facilitation Agreement in Bali and the G20 summit.⁴⁷⁴

Additionally, the US launched a new phase of the National Export Initiative in May 2014 to streamline the country's own import/export process in addition to negotiating new access and building the trade capacity of developing countries.⁴⁷⁵

Alternatively, trade disputes with China in the technology industry have led to instances of protectionism between the two states.⁴⁷⁶

⁴⁷⁰ U.S. Customs and Border Protection, Tips for New Importers and Exporters (Washington) 14 May 2014. Date of Access: 28 February 2015. <http://www.cbp.gov/trade/basic-import-export/importer-exporter-tips>

⁴⁷¹ export.gov, International Logistics: When is Pre-Shipment Inspection Required? (Washington) Date of Access: 28 February 2015. http://www.export.gov/logistics/eg_main_018120.asp

⁴⁷² Public Stockholding Programmes for Food Security Face Uphill Struggle, Inter Press Service News Agency (Geneva) 17 July 2014. Date of Access: 28 February 2015. <http://www.ipsnews.net/2014/07/public-stockholding-programmes-for-food-security-face-uphill-struggle/>

⁴⁷³ U.S. Customs and Border Protection, Commodity Graph Reports and Tariff Preference Levels (Washington) Date of Access: 28 February 2015. <http://www.cbp.gov/trade/quota/tariff-rate-quotas>

⁴⁷⁴ U.S. Moves Towards Greater Trade With Africa, Wall Street Journal (New York) 26 February 2015, Date of Access: 28 February 2015. <http://www.wsj.com/articles/u-s-moves-toward-greater-trade-with-africa-1424961276>

⁴⁷⁵ National Export Initiative, Office of the United States Trade Representative (Washington) Date of Access: February 28, 2015, <https://ustr.gov/nei#>

Moreover, the subsidies provided by the US to its domestic farmers stands as another major obstacle to the achievement of the Bali proposals.⁴⁷⁷ However, As of November 13, 2014, the US and India reached an agreement on the issue of agriculture that allows for the full implementation of the Bali agreements.⁴⁷⁸

The United States has implemented all major aspects of the Bali package. Thus the United States is awarded a score of +1.

Analyst: Kevin Deagle

European Union: -1

The European Union has failed to comply with its commitment to implement the Bali package.

The EU has provided an “Export Helpdesk” page on the European Commission website that provides information regarding customs procedures with non-EU trading partners. According to the website: “These rules ensure that customs practices in all EU countries are uniform and transparent.”⁴⁷⁹ These initiatives are in accordance with Article 1 and Article 2 of the Agreement on Trade Facilitation.

The EU has created the binding tariff information (BTI) system to help clients obtain advance rulings, or tariff classifications, for imports and exports into the EU.⁴⁸⁰ The BTI system satisfies Article 3.6 of the agreement.

The EU also requires pre-arrival and pre-departure declarations to provide customs authorities with information prior to the shipment of goods into or out of the EU, thus satisfying Article 7.1.1 of the agreement.⁴⁸¹

The EU has imposed some pre-shipment controls and entry port restrictions for over 500 categories of goods until the end of 2015.⁴⁸² This is contrary to Article 10.5.1 of the agreement.

The European Union has failed to satisfy Article 10.5.1. Thus, the EU is awarded a score of -1.

Analyst: Nour Chehabeddine

⁴⁷⁶ Mutual Suspicion Mars Tech Trade With China, The New York Times (New York) February 27, 2015, Date of Access: 28 February 2015. http://www.nytimes.com/2015/02/28/technology/in-china-suspicions-cloud-trade-dispute-involving-tech-companies.html?_r=0

⁴⁷⁷ AGOA's Final Frontier: Removing US Farm Trade Barriers. Centre for Global Development (Washington) 28 July 2014. Date of Access: 28 February 2015. <http://www.cgdev.org/sites/default/files/agoa-final-frontier-removing-us-farm-trade-barriers.pdf>

⁴⁷⁸ Statement by Ambassador Froman on U.S.-India WTO Trade Facilitation Agreement, Office of the United States Trade Representative (Washington) 13 November 2014. Date of Access: February 28, 2015. <https://ustr.gov/about-us/policy-offices/press-office/press-releases/2014/November/Statement-by-Ambassador-Froman-on-US-India-WTO-Trade-Facilitation-Agreement>

⁴⁷⁹ EU Import Procedures (Brussels) 5 February 2015. Date of Access: 7 March 2015. http://exporthelp.europa.eu/thdapp/display.htm;jsessionid=440DC902B4CB2863EB5BAE70C37DCC01?page=rt%2Frt_EUImportProcedures.html&docType=main&languageId=en

⁴⁸⁰ Binding Tariff Information (Brussels) 4 February 2015. Date of Access: 7 March 2015. http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/classification_goods/index_en.htm

⁴⁸¹ Pre Arrival/Pre Departure Declarations (Brussels) 4 February 2015. Date of Access: 7 March 2015. http://ec.europa.eu/taxation_customs/customs/procedural_aspects/general/prearrival_predeparture/index_en.htm

⁴⁸² Import licenses and pre-shipment controls (Brussels) 7 November 2013. Date of Access: 7 March 2015. http://madb.europa.eu/madb/barriers_details.htm?barrier_id=135445&version=4