

CAPACITY BUILDING WORKSHOP ON FACILITATION OF CROSS-BORDER PAPERLESS TRADE

22-24 April 2014, Bangkok, Thailand

Summary

The Capacity Building Workshop on Facilitation of Cross-border Paperless Trade, held on 22-24 April 2014, Bangkok, Thailand, was inaugurated by Dr. Ravi Ratnayake, Director, Trade and Investment Division of the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) on 22 April 2014 with his opening remarks. The Workshop was attended by 57 participants, most of which also attended the Ad Hoc Intergovernmental Meeting on a Regional Arrangement for the Facilitation of Cross-border Paperless Trade organized during the same period.

Session 1, under the theme of “Facilitating Cross-border Paperless Trade in the Region”, reviewed current status of countries in the region in their implementation of paperless trade, including some cross-border paperless trade initiatives. The session also discussed estimates of cross-border paperless trade benefits in terms of time and cost savings as well as increased trade volume for the region. The session identified challenges and issues in facilitating cross-border paperless trade in Asia and the Pacific and discussed potential options for countries to work together, in particular through a regional agreement focusing on facilitating of cross-border trade data exchange.

Session 2 featured regional paperless trade initiatives, including cross-border paperless trade. Implementation experience of ASEAN Single Window was shared as a leading subregional cross-border paperless trade initiative in the region. Another expert also shared paperless trade experiences from the Asia Pacific Economic Cooperation (APEC), in particular the works of the Electronic Commerce Steering Group (ECSG). The third speaker shared his experience from the private sector initiative in the region to facilitate cross-border trade data exchange, namely Pan Asian e-Commerce Alliance (PAA). Based on the discussion of different regional initiatives, the session recognized the potential role of the regional arrangement initiated by ESCAP as part of implementing its resolution 68/3 in facilitating cross-border trade data exchange in the region.

Session 3 provided an opportunity to learn from the experiences of some leading countries in the region, in particular China and India. An expert from India shared national initiatives to facilitate paperless trade as well as an initiative to facilitate mutual recognition of electronic certificates across borders, including an introduction of an Memorandum of Understanding (MoU) between the governments of India and Republic of Korea to facilitate mutual recognition at bilateral level. An expert from China shared national experience in facilitating electronic Sanitary and Phyto-sanitary Certificate (e-SPS), including cross-border initiative with multiple

countries in the region and beyond. Both experts highlighted the potential role of ESCAP regional arrangement in facilitating and expanding mutual recognition of electronic certificates and e-SPS in a harmonized manner.

Session 4 discussed legal issues in cross-border paperless trade. Reference was made to relevant existing international instruments and best practices, including those of United Nations Commission on International Trade Law (UNCITRAL), and Single Window related recommendations of United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT). Also covered were current approaches and provisions on paperless trade in trade agreements. The session made some practical suggestions in narrowing legal gaps, including identifying relevant international standards to refer and developing a diagnostic tool for carrying out legal review.

Session 5 was held as an open discussion to share views and suggestions on how to proceed with specific measures for facilitating cross-border paperless trade in the region, with an understanding that it would require more consensus building until ESCAP can put in place a fully operational formal intergovernmental mechanism.

Recommendations

The Workshop made the following recommendations in moving forward facilitation of cross-border paperless trade in the region:

- The Workshop recommends ESCAP to continue its effort in facilitating cross-border paperless trade, while continue working on establishing a regional intergovernmental mechanism with more time to build broader consensus.
- In working towards cross-border paperless trade, ESCAP may also identify intermediate measures that can be quickly adopted and implemented. Such measures could be based on a phased approach taking into consideration migration path.
- ESCAP should start preparatory work for facilitating cross-border paperless trade, in particular some diagnostic tools that can be used to assess legal and technical gaps of ESCAP members in moving towards cross-border paperless trade environment.
- ESCAP should continue and further strengthen its capacity building activities in cross-border paperless trade, and facilitate sharing of lessons learnt including showcasing best practices in the region.
- ESCAP should further promote the importance of harmonized trade information and legal framework. In this connection, ESCAP should develop practical guides that can be used in helping technical data and legal framework harmonization, including use of standardized data sets, specifically to enable cross-border paperless trade.