



Food and Agriculture
Organization of the
United Nations



MINISTRY OF AGRICULTURE
OF THE REPUBLIC
OF UZBEKISTAN

TRADE FACILITATION AGREEMENT:

main provisions and specific obligations of LLDCs WTO Members



LLDCs Forum on Food Security and the SDGs

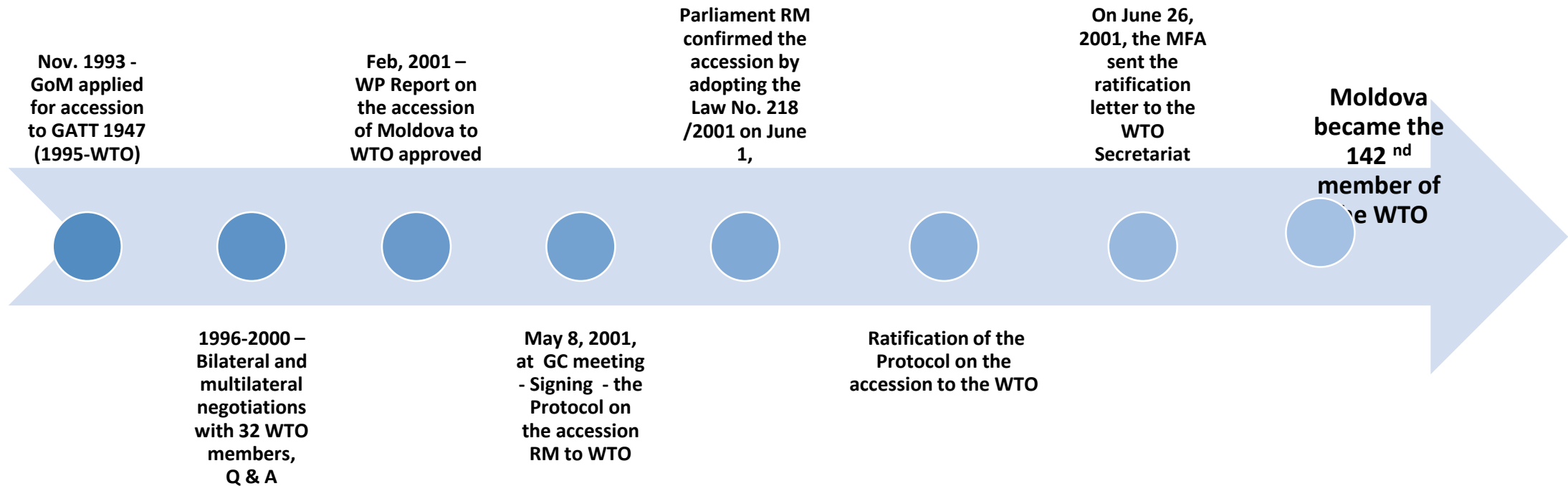
5-6 September 2024 – Tashkent, Uzbekistan

Name: GEORGETA MINCU

Organisation: Republic of Moldova



Timetable of Accession of Moldova to WTO





Accession of Moldova to Trade Facilitation Agreement (TFA)

June 2016 - Moldova - the 84th country ratifying TFA Agreement

(RM Law no. 129 of 9 June 2016 & Ratification deposited on 24 June 2016).

22 February 2017 - Trade Facilitation Agreement, entered into force for Moldova

(following its ratification by 2/3 of the WTO membership (112 of 164)).

2017 - National Trade Facilitation Committee approved by GD 26/2017, by amending
GD 631 On Economic Council of the Prime Minister



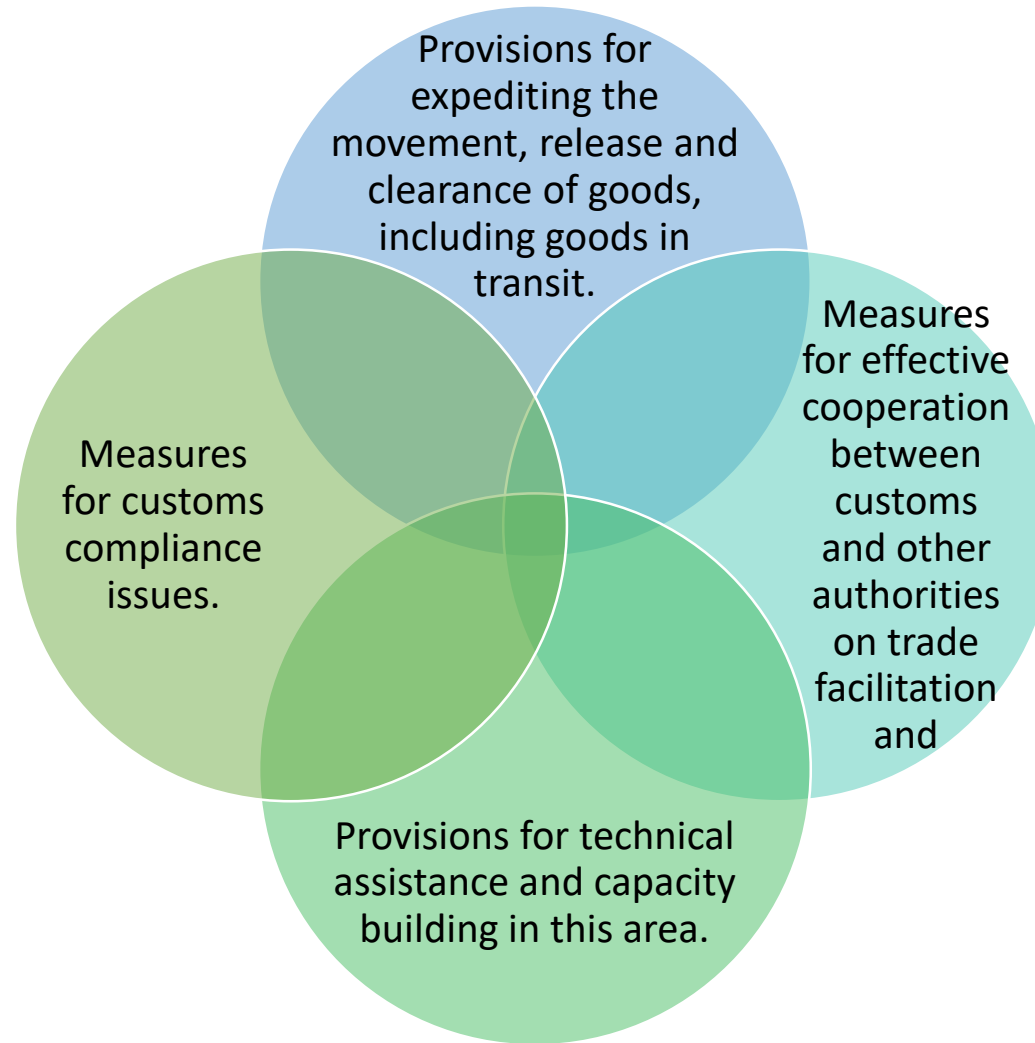
Overview of TFA

WTO members concluded negotiations in 2013 at

Bali Ministerial Conference on the landmark Trade Facilitation Agreement (TFA)

22 February 2017 – TFA entered into force

following its ratification by 2/3 of the WTO membership (112 of 164).





C. Structure of the TFA



Section I

The TFA contains 12 Articles) with approximately 40 “technical measures” (Articles 1 - 12)



Section II

Special provisions for developing and least-developed country Members (Articles 13 – 22)



Section III

Final provisions and institutional arrangements (Articles 23 – 24).



Section I - The trade facilitation Agreement contains 12 Articles approximately 40 “technical measures”



Article 1
Publication & Availability
of Information



Article 5
Measures to Enhance
Impartiality, Non-Discrimination
& Transparency



Article 9
Movement under
Customs Control



Article 2
Comment
and Consultations



Article 6
Disciplines on Fees
and Charges



Article 10
Import, Export
& Transit Formalities



Article 3
Advance
Rulings



Article 7
Release and Clearance
of Goods



Article 11
Freedom
of transit



Article 4
Procedures for
Appeal or Review



Article 8
Border Agency
Cooperation



Article 12
Customs
Cooperation



Section II - TFA

Special provisions for developing and least-developed country Members



Category A

Developing: To be implemented at the time the TFA enters into force

LDCs: To be implemented within one year after the TFA enters into force



Category B

To be implemented after a transitional period following the entry into force of the TFA



Category C

To be implemented after a transitional period and requiring the acquisition of assistance and support for capacity building



Section III - TFA

Final provisions and institutional arrangements



Article 23

1. Committee on TF:

It will oversee the implementation of the TFA

2. National Committee:

Each Member shall establish (or maintain) a national committee





Overview of WTO Trade Facilitation Agreement - Moldova

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January 2017 - National Trade Facilitation Committee approved by GD 26/2017, by amending GD 631 On Economic Council of the Prime Minister

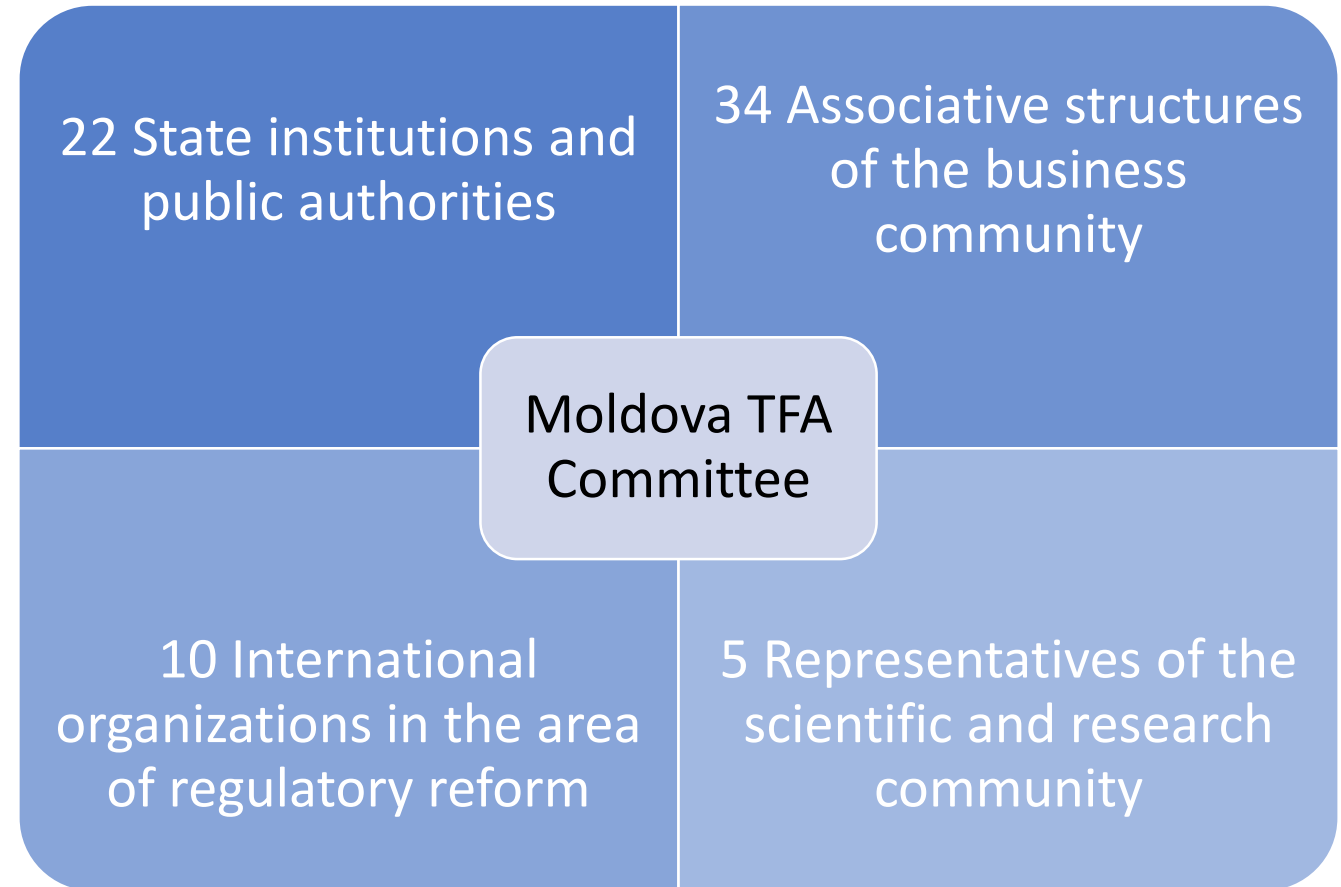
December 2017 – National Trade Facilitation ACTION PLAN, approved by GD 1065 / 2017 The Plan comprises **92 actions** divided into **20 thematic chapters** and **35 articles**

https://www.legis.md/cautare/getResults?doc_id=102401&lang=ru



National Trade Facilitation Committee (Art. 23.2)

Each Member shall establish and/or maintain a national committee on trade facilitation or designate an existing mechanism to facilitate both domestic coordination and implementation of the provisions of this Agreement...”

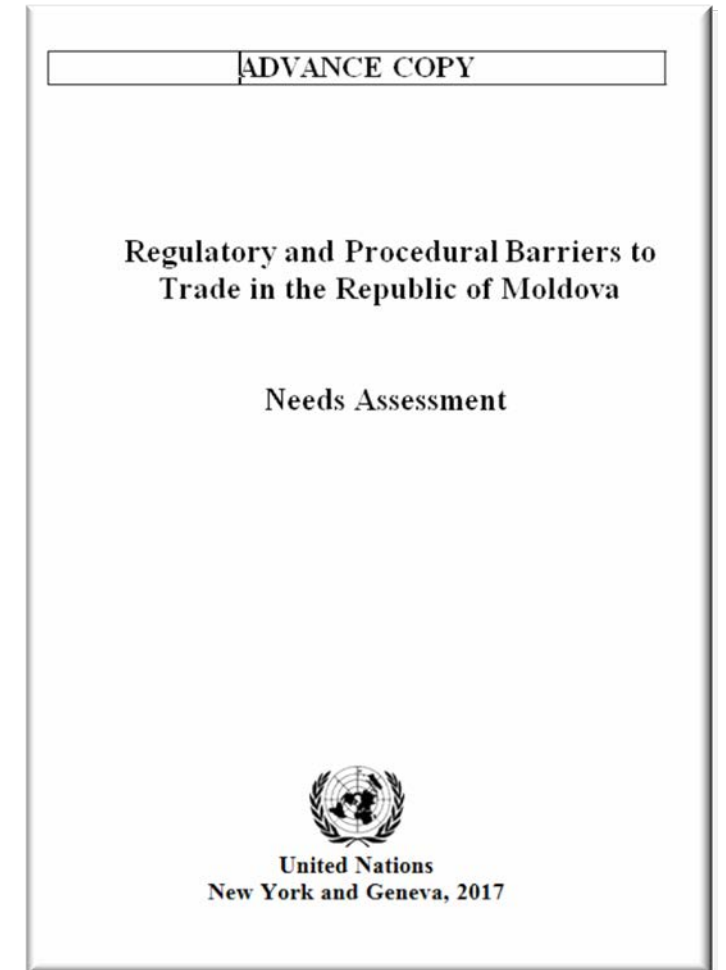


[Members – Economic council \(gov.md\)](#), WG nr. 2 – facilitating green transition and cross border trade



Moldova Trade Facilitation Approach into Actions

- As a result of a review of the regulatory and procedural barriers to trade in the Republic of Moldova carried out by the UNECE, a Needs Assessment has been developed, containing **38 recommendations** for eliminating the identified barriers.
- Most of the recommendations were integrated into the National Action Plan for Trade Facilitation.
- Moldova has chosen a **broader approach** to trade facilitation, addressing also relevant elements of **TBT and market surveillance issues**.





Main areas of intervention of the MD NTFA Action Plan

• Access to information, transparency in trade regulation:

- Trade Portal, guides, authorities' webpages, information points, consultations in decision-making;

Predictable rules for carrying out trade:

- Notifications, prior decisions, regulated detention procedures, tests, trade-related taxes, applicable and appropriate sanctions;

Simplifying administrative procedures on trade:

- Developing AEO, simplified customs procedures, urgent deliveries, perishable goods, single window for trade implementation (June, 2018), NCTS (Electronic Transit System) implementation;

modern IT in state control procedures of trade and of business interaction processes:

- Up-grade ASYCUDA, update Customs Code, development of electronic customs clearance, implementation of electronic procedures at other agencies (ANSA, ANTA), use of electronic documents;
- Improving necessary infrastructure and foreign trade control



Moldova's list of commitments by Categories

Category A measures, immediate actions	Category B, additional time to implement	Category C, need time and technical assistance
<p>Art.1.1 Publication of information needed for business</p> <p>Art.1.4 Notification</p> <p>Art.3 Advance Rulings</p> <p>Art.4 Procedures for Appeal or Review</p> <p>Art.5.2 Detention</p> <p>Art.6.2 Specific Disciplines on Fees and Charges for Customs Processing Imposed on or in Connection with Importation and Exportation</p> <p>Art.7.2 Electronic Payment</p> <p>Art.7.3 Separation of Release from Final Determination of Customs Duties, Taxes, Fees and Charges</p> <p>Art.7.4 Risk Management</p> <p>Art. 7.5 Post-clearance Audit</p> <p>Art.7.6 Establishment and Publication of Average Release Times</p> <p>Art.8 Border Agency Cooperation</p> <p>Art.9 Movement of Goods Intended for Import under Customs Control</p> <p>Art.10.3 Use of International Standards</p> <p>Art.10.5 Pre-shipment Inspection</p> <p>Art.10.6 Use of Customs Brokers</p> <p>Art.10.7 Common Border Procedures and Uniform Documentation Requirements</p> <p>Art.10.8 Rejected Goods</p> <p>Art.10.9 Temporary Admission of Goods and Inward and Outward Processing</p> <p>Art.20 Customs Cooperation</p>	<p>Art.1.3 Enquiry Points</p> <p>Art.2.1 Opportunity to Comment and Information Before Entry into Force</p> <p>Art.2.2 Consultations</p> <p>Art.5.3 Test Procedures</p> <p>Art.6.1 General Disciplines on Fees and Charges Imposed on or in Connection with Importation and Exportation</p> <p>Art.6.3Penalty Disciplines</p> <p>Art.7.7 Trade Facilitation Measures for Authorized Operators</p> <p>Art.10.1 Formalities and Documentation Requirements</p> <p>Art.10.2 Acceptance of Copies</p>	<p>Art.1.2 Information Available through Internet</p> <p>Art.5.1 Notification for Enhanced Controls or Inspections</p> <p>Art.7.1 Pre-arrival Processing</p> <p>Art.7.8 Expedited Shipments</p> <p>Art.7.9 Perishable Goods</p> <p>Art.10.4 Single Window</p> <p>Art.11 Freedom of Transit</p>

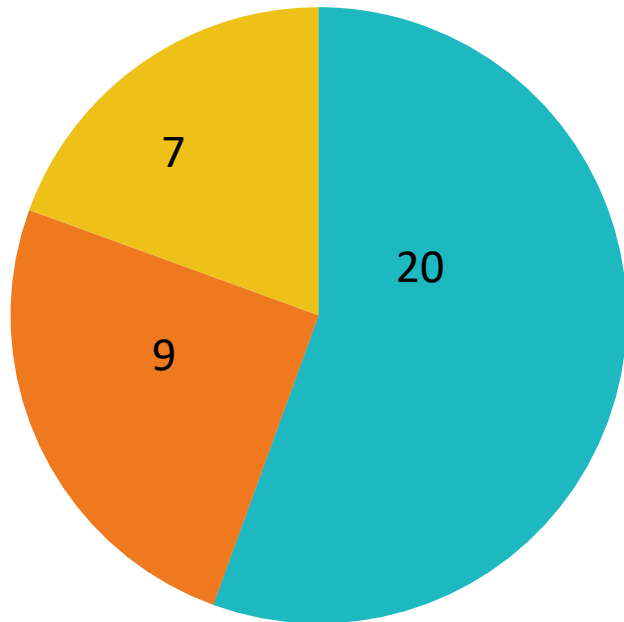


Moldova’s list of commitments by Categories

Category A: provisions that the member will implement by the time the Agreement enters into force

Category B: measures for which we need additional time to implement

Category C: measures for which we need time and technical assistance



Categories	Number	%
A	20	55,5%
B	9	25,0%
C	7	19,5%
TOTAL	36	100%



Timeline of implementation commitments

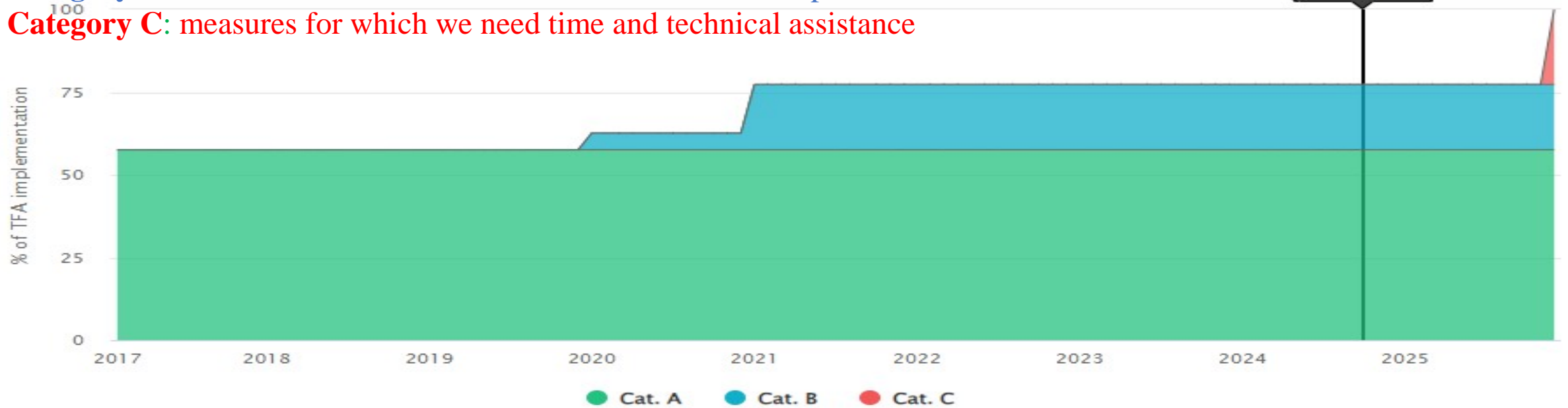


Based on implementation commitments over time

Category A: provisions that the member will implement by the time the Agreement enters into force

Category B: measures for which we need additional time to implement

Category C: measures for which we need time and technical assistance



> Explain these metrics

TODAY
22 Feb 2017 - 3 Sep 2024

77.3%



2024 - 2025
4 Sep 2024 - 31 Dec 2025

100.0%



TFA Specific provisions - BENEFITS TO SMEs - 1

Art. 1-1 Publication	Information costs saved
Art. 1-2 Information Available Through Internet	Clear estimation of import/export costs
Art. 1-3 Enquiry Points	Delays, fees, and penalties avoided
Art. 1-4 Notification	Presence, translation, and legal costs saved
Art. 3 Advance Rulings	Clear direction on classification, origin, and other relevant customs clearance information Delays and attendant costs avoided Time saved (for term rulings) Information costs saved (with published rulings)
Art. 7-1 Pre-arrival Processing	Reduced release time for goods Reduced delays at border crossings and/or entry points Reduced handling costs
Art. 7-3 Separation of Release from Final Determination of Customs Duties, Taxes, Fees, and Charges	Reduced release time for goods Reduced handling costs Quicker, more predictable deliveries More affordable guarantees
Art. 7-8 Expedited Shipment	Quicker, more predictable deliveries Waived duties (usual practice)
Art. 7-7 Trade Facilitation Measures for Authorized Operators	Time and costs saved Quicker, more predictable deliveries Deferred payments (usual practice) Known trader status



TFA Specific provisions -

BENEFITS TO SMEs - 2

Art. 6-3 Penalty Disciplines	Reduced penalty costs Possibility of appeal Reduced corruption costs
Art. 2-1 Opportunity to Comment and Information before Entry into Force Art. 2-2 Consultations	Reduced information costs Opportunity to comment/influence
Art. 4 Procedures for Appeal or Review	Reduced costs from arbitrary process, errors, or appeal Increased transparency
Art. 5-2 Detention	Reduced handling and storage costs Reduced losses from spoilage
Art. 5-3 Test Procedures	Reversal of rejected shipments More visible compliance
Art. 7-9 Perishable Goods	Reduced handling and storage costs Reduced insurance costs Reduced losses from spoilage
Art. 8.1 Internal Agency Cooperation Art. 8.2 External Agency Cooperation Art 10-3 Use of International Standards	Time and costs saved Lower cost of compliance
Art. 10-5 Pre-shipment Inspection	Faster processing and release time
Art. 7-2 Electronic Payment	Faster processing Reduced risk of errors Easier, more cost-effective compliance
Art. 10-4 Single Window	Reduced release time for goods Lower cost of compliance



TFA Specific provisions -

BENEFITS TO SMEs - 3

Art. 10-2 Acceptance of Copies	Time and costs saved
Art. 10-6 Use of Customs Brokers	Costs saved More control over clearance
Art. 7-4 Risk Management	Reduced release time for goods Reduced handling (costs) Quicker processing
Art. 7-5 Post-clearance Audit	Reduced release time for goods Quicker, more predictable deliveries Deferred payments Known trader status
Art. 7-6 Establishment and Publication of Average Release Times	Increased transparency Time and costs saved
Art. 6-1 General Disciplines	Information costs saved
Art. 6-2 Specific Disciplines	Clear estimation of budgets
Art. 10-9 Temporary Admission of Goods and Inward and Outward Processing	Duties on temporary imports/exports avoided

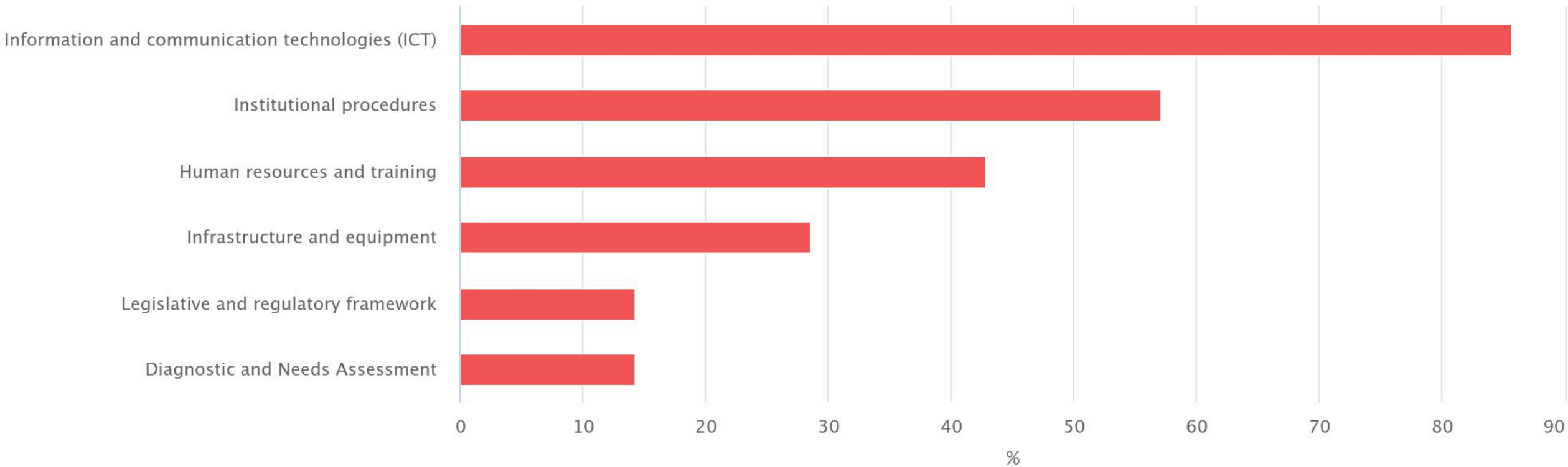


The Republic of Moldova asked **financial assistance** from the donors in order to cover actions such as:

- ➔ Development of **ASYCUDA** functionality
- ➔ Development of notification and alert system
- ➔ Creation of **Trade Points**
- ➔ Enhancement of Customs Laboratory testing
- ➔ Enhanced systems for urgent deliveries
- ➔ Risk management
- ➔ Development of analytical tools to identify high-risk transactions (for use by NFSA and NATA)
- ➔ Development of the e-NFSA integrated information system
- ➔ Strengthening national standardization process
- ➔ Enhancement of transit regime (Upgrading of Border Police IT system, Improvement of border crossing infrastructure)
- ➔ Enhancing capacity of **MOLDAC**
- ➔ Develop market supervision capacity



Type of technical assistance requested



● Share of technical assistance requested

TFAD (Trade Facilitation Agreement Database) www.tfadatabase.org



CONCLUSIONS AND RECOMMENDATIONS

- Trade Facilitation reform are a **MUST** for economic development, for business processes and for improvement investment climate
- WTO instruments and agreements boost and speed up all sound and healthy reforms
- Very important to build proper institutional sustainable capacity for dealing with WTO issues
- Permanent on-going training at different level – starting with Parliament and ending with private sector
- Benefit from **TRADE** – those who play fairly, apply predictable rules and procedures
- Since Moldova is member of WTO – increased 3 times its trading partners, increased twice the categories of trading goods, improved its country image and attracted many tourists



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Thank you