



The Second ASEM Customs DG-Commissioner Meeting

Vienna, 20-21 June 1997

Statement

INTRODUCTION

1. The Second meeting of the ASEM Directors-General and Commissioners of Customs took place on 20 and 21 June 1997 in Vienna, Austria. It was attended by the Directors-General and Commissioners of Customs of 10 Asian nations, the 15 Member States of the European Union (with the Netherlands acting also as President of the Council of the Union) and of the European Commission. The meeting was chaired jointly by Mr. James Currie, Director-General of Customs and Indirect Taxation at the European Commission, and Mr. Dirk Witteveen, Director-General of the Netherlands Customs Administration, as well as Mr. Soehardjo, Director-General of Indonesian Customs and Excise as Vice-Chairman.
2. This was the second follow-up meeting in the customs field at Directors-General and Commissioner level to the Asia-Europe Meeting (ASEM) between Heads of State and Government held in Bangkok, Thailand on 1 and 2 March 1996. Its objective was to respond to the ASEM Leaders' agreement to undertake facilitation and liberalisation measures involving the simplification and harmonisation of customs procedures, to deal with illicit drug trafficking and customs offences as well as to consider the development of closer co-operation in these areas among the customs authorities in Asia and Europe.
3. The meeting was officially opened by Mr. Schweisgut, Director-General of the Austrian Customs Administration, host of the meeting. Opening speeches and statements were also delivered by the Chairmen and by Mr. Huang Ru Fen, Deputy Director-General of Customs of the People's Republic of China.
4. The meeting discussed the reports of the two working groups which had been established following the first ASEM Customs Directors-General and Commissioners Meeting in Shenzhen.
5. The meeting confirmed that the areas of common interest between Europe and Asia in the context of enforcement which offer particular scope for increased customs co-operation are those of drugs, chemical precursors, money laundering, customs commercial fraud, firearms and intellectual property rights. It endorsed the conclusions of the working group underlining that any such action would have to be considered as useful and practical by the members of both regions.
6. The meeting supported the idea that, while working towards the setting up of an appropriate framework i.e. agreements on mutual administrative assistance between the EC and individual Asian partners of ASEM, ASEM partners should improve their exchange of information and experience in areas which are not subject to legal provisions on confidentiality and data protection, by fully utilising the existing framework, including

the RILO network. It agreed that this exchange should cover, among other customs subjects, the areas of enforcement techniques, risk assessment, new trends in smuggling and controlled delivery.

The meeting invited the working group to update the existing list of contact points, identify relevant material for dissemination and establish effective working methods.

7. The meeting agreed that the organisation of specialized seminars or training projects between customs officials of ASEM partners would be an excellent framework for the task of exchanging information and experience. It concluded that the working group should identify appropriate subjects for such seminars or training projects and provide for their organisation, taking into account priority areas for co-operation on training mutually defined.

PROCEDURES WORKING GROUP

8. The meeting welcomed the achievement of the summary of ASEM partners' training programmes and the list of ASEM customs procedures contact points, compiled through co-operation by Malaysia, Thailand and the European Commission. The meeting confirmed that enhanced customs co-operation between ASEM partners should take into account the considerable increase in trade volumes in recent years inside each of the Asian and European regions of ASEM and between Asia and Europe.

With a view to successful achievements in the efforts of ASEM partners to facilitate trade it is important to take into account the work which is being done with the same objective in other international and regional fora, in order to avoid duplication and to harmonize as much as possible the approaches adopted in the areas of simplification and harmonization of customs procedures. In this context, the meeting underlined the importance of a common approach to the revision of the Kyoto Convention.

It was further agreed that technical assistance is an important element in co-operation between administrations and that an exchange of information about existing projects of common interest in this area is desirable.

9. The meeting also recommend that the private sector should be involved in this exercise because of its active role in trade and investment and the important practical experience which it would contribute. The meeting invited the host of the next ASEM Business Forum to make a brief report to the Business Forum on progress in customs co-operation.
10. The meeting welcomed the proposal of the working group to organise a seminar or the simplification and harmonization of customs procedures which would bring customs officials and private sector representatives from both regions together. The overall objective of such a seminar should be trade facilitation.

The meeting agreed that activities in this field should concentrate first and foremost on

- customs procedures for importation and exportation;
- data requirements for a customs declaration;
- differences in the legal frameworks of ASEM partners.

11. The working group should

- identify the problems for the private sector in the above context;
- identify the areas on which simplification and harmonization should focus;
- identify the improvements which the working group could contribute.

10. The meeting agreed that full attention should be given to the examination and development of an ASEM Trade Facilitation Action Plan (TFAP). The meeting confirmed the important role which the procedures working group should play in order to develop the customs related items to be included in the TFAP. The contributions should be based on the work undertaken in the working group and include the results achieved in the above-mentioned seminar.

The meeting further agreed that the computerization of customs procedures has a significant part to play in trade facilitation.

CONCLUSIONS CONCERNING BOTH WORKING GROUPS

11. The meeting recognized the importance of developing a prioritized framework programme in order to achieve significant results from enhanced customs co-operation. It supported the planned initiative of the European Community to start negotiations on Customs Co-operation and Mutual Administrative Assistance Agreements between the European Community on the one hand and Asian ASEM partners on the other. The European Community and Korea have already concluded such an agreement.

The meeting also suggested that bilateral agreements should be encouraged, where appropriate, between individual Member States of the European Union and interested parties among the Asian partners of ASEM in order to cover the entire range of customs activities.

In addition, the meeting noted the desirability of starting, where appropriate, the negotiation and conclusion of agreements on chemical precursors between the same parties. Parties which have already started negotiations, such as some of the ASEAN countries, should intensify negotiations in order to conclude the agreements as soon as possible.

12. The meeting recognized that those agreements would provide a basis for future specific measures of cooperation such as exchanges of information and other forms of mutual assistance, development of modern enforcement techniques, sharing of experience, training programmes, technical assistance and exchange of human resources. It is evident that each of these agreements will have to be consistent with the national laws,

rules and regulations and within the limits and the available resources of the competent administrations of the countries concerned.

The meeting welcomed the initiative of both working groups to established channels for information exchange. It concluded that both working groups should take care of the regular update of the contact points lists and distribute all changes immediately to all ASEM partners. Both working groups should agree on the working methods in order to ensure the efficient use of the lists to be developed mutually.

FOLLOW-UP MEASURES

13. The meeting agreed that the enforcement and procedure working groups should in future meet once a year. The meetings of the two working groups should be held in Brussels on the occasion of WCO-related meetings, unless otherwise decided by consensus.
14. It was agreed that the chairmanship of future enforcement and procedure working groups should be for a two-year term and alternate between Europe and Asia as well as between the two working groups. This means that the next enforcement working group will be chaired by Thailand while the next procedures working group will be chaired by the European Commission.

The respective working groups will be organised and prepared by the parties in the chair in consultation with the chair of the next Directors-General and Commissioners meeting, using the contact point network which has been established by the two working groups.

Where necessary the two working groups can decide to set up smaller subgroups to tackle individual technical subjects.

15. Furthermore, subject to the principles outlined in paragraph 11, it was agreed that
 - work will be undertaken in the appropriate fora, with interested countries, on the negotiation of customs co-operation and mutual assistance as well as precursor agreements;
 - the working groups will follow-up the conclusions and discussion of this meeting and in particular the objectives included in paragraphs 6, 7, 9, 10 and 12.
16. The meeting agreed to hold future ASEM Customs DG-Commissioner Meetings every two years. They should take place alternately in Europe and Asia. The third meeting was scheduled to take place in 1999 in Asia. It will be prepared by the chairman in consultation with the vice-chairmen of the next meeting.
17. It was agreed that the chairmen of the current meeting would present the results of this meeting to the meeting of the ASEM Ministers of Finance and to the meeting of the ASEM Ministers of Economy, with the objective of informing the Ministers of the activities undertaken in the ASEM customs field. It was furthermore agreed to invite the Finance



Ministers to endorse the activities in the customs field and to offer their support for the future work to be envisaged and to invite relevant ASEM fora to charge the ASEM customs procedures working group to be responsible for and develop the customs related items to be included in the Trade Facilitation Action Plan (TFAP). It was also agreed that the said chairmen would present the results of this meeting to the next ASEM informal Senior Officials Meeting on Trade and Investment (SOMTI), due to take place in February 1998.