

ANNEX

YOKOHAMA DECLARATION: A STRENGTHENED ASEM CUSTOMS COOPERATION IN THE NEW ERA

Yokohama, where the 7th ASEM DG-Commissioners Meeting was held, will soon celebrate its 150 year anniversary since 1859, when its port was opened and Japan resumed trade with the world. The first Customs House in Japan was established here, and Yokohama has since been a center for trade, which has led Japan through its modernization to its economic prosperity today.

Through this Meeting, where we took a step forward in the new decade for ASEM, we shared our views on the role of Customs in a changing environment and an era of new challenges.

Here in Yokohama, we proclaim that ASEM Customs will actively make efforts to “Secure, and Facilitate Trade”, “Enforce Intellectual Property Rights”, “Protect our Societies and Environment”, “Fight against Fraud” as well as to strengthen cooperation.

The role of Customs in ASEM

- In this increasingly globalizing world, the main common challenges facing Customs in Asia and Europe are:
 - 1) Balancing supply chain security and trade facilitation,
 - 2) Ensuring fair and safe trade, including the protection of intellectual property rights (IPR)
 - 3) Protecting their societies effectively against new threats and fraud methods and
 - 4) Paying due consideration to the environment which is essential for sustainable development.

- ASEM Customs, as Members’ key border agencies, will continue to endeavour individually and cooperate collectively to this end, and discussed

Customs' approaches to these issues in its 7th DG-Commissioners Meeting, summarized below.

Customs' Contribution to Secure and Facilitate Trade

- Balancing supply chain security and trade facilitation is essential for sustained growth of the global economy.
- Towards this goal, ASEM Customs adopted the ASEM Trade Facilitation Action Plan 2006-2008 and the ASEM Enforcement Action Plan 2007-2009 and
 - confirmed the significance of accelerating implementation of the WCO SAFE Framework of Standards (FoS), and the importance of capacity building through the WCO Columbus Program for this purpose.
 - agreed that the establishment of AEO programs, an integral part of the SAFE FoS, and mutual recognition of these programs should be promoted among ASEM Members.
 - reaffirmed to promote early adoption and implementation of the Revised Kyoto Convention among Members, recognizing its significance as the basis to facilitate trade.
 - took note of the progress of the Single Window systems among Members, and agreed to consider ways to establish links between these systems.
 - expressed hope for an early and successful conclusion of the WTO Doha Round that is approaching the final and critical stage. In this regard, recognizing that Customs play a major role especially in the Trade Facilitation (TF) negotiations, the Meeting urged
 - 1) Member Customs to actively participate not only in their intra-government consultations but also in the Geneva negotiating process, and
 - 2) the WTO to continue to utilize the knowledge and experience of Member Customs and the WCO in the TF negotiations as well as its technical assistance and capacity building activities supporting this negotiation.
 - expressed concerns about efficiency, practicality and the impact on world

trade and maritime transport of the recent U.S. legislation to require 100% scanning of US-bound containers at foreign ports. In this regard, ASEM Customs agreed that it would be useful to exchange views among Members and with the U.S. on the best policies to ensure both security and smooth trade flows.

Customs' Contribution to the Protection of Intellectual Property Rights (IPR)

- Proliferation of counterfeit goods not only threatens the health, safety and security of consumers, but also hinders innovation and sustained growth of the global economy. To counter this issue, it is important to give this a higher priority and to develop human resources in Customs, in particular experienced IPR experts.

- Recognizing the significance of this issue, ASEM Customs
 - welcomed regional cooperation in IPR enforcement, and agreed to strengthen such regional cooperation among ASEM Customs. Members noted the example reported by Japan, China, and Korea for such purpose, in which the three Customs established a Tripartite Working Group and adopted an Action Plan including promotion of information exchange.
 - noted progress with the EU Action Plan on tackling IPR fraud, the conclusions of the German G8 Presidency at Heiligendamm, and preparations by Japanese and French Customs to make tackling counterfeiting a priority of the Japanese G8 Presidency and the French Presidency of the EU in 2008.
 - agreed to participate in the discussion for the formal adoption of WCO's *SECURE that promotes sharing of best practices in IPR enforcement, and to contribute to its capacity building activities.
 - noted the proposal for a new international framework to strengthen IPR enforcement, "ACTA (Anti-Counterfeiting Trade Agreement)", and expressed hope that discussions might be accelerated for its materialization.
 - agreed to support the Global Congress on Combating Counterfeiting and Piracy convened by the WCO, Interpol and WIPO for February 2008.

*SECURE (Standards Employed by Customs for Uniform Rights Enforcement) is the set of standards for Customs enforcement and protection of IPRs, which is currently being discussed within the WCO.

Customs' Contribution to protect societies effectively against new threats and fraud methods

- It is important to coordinate approaches to the fight against fraud and smuggling, and utilize high technology to counteract terrorism and organised crime.
- New threats, e.g. developing through increasing globalisation and use of internet, require enhanced cooperation and coordination through Customs on a global level.

-Towards this goal, ASEM Customs agreed to implement joint operations, such as "Diabolo 2", coordinated by the European Commission.

Customs' Contribution to Environmental Issues

- Environmental issues are universal challenges that are essential to assure human security and quality of life, to protect the ecosystem and global environment, for which international efforts are indispensable. ASEM has focused on this challenge of utmost importance, releasing for example "the ASEM 6 Declaration on Climate Change" at the last ASEM Summit in 2006.
- Recognizing that ASEM Customs should also respond to this challenge, the 7th ASEM Customs DG-Commissioners Meeting discussed this issue for the first time, which
 - confirmed that ASEM Customs should strictly enforce the Multilateral Environmental Agreements (MEAs) such as the *Basel Convention, the **CITES, and the ***Montreal Protocol, in cooperation with related international organizations.
 - agreed to continue international dialogue and cooperation through the

exchange of information on MEA enforcement, and to make further efforts towards solving these global problems.

*Basel Convention is the convention regulating the cross-border movement of hazardous waste

**CITES stands for the Convention on International Trade in Endangered Species of Wild Fauna and Flora

***Montreal Protocol is the protocol regulating substances that deplete the ozone layer.

Cooperation and Capacity Building

- Customs cooperation among Member Customs authorities (Customs to Customs (C2C)) and with the business and private sector (Customs to Business (C2B)) are essential to effectively deal with the above-mentioned challenges. Most important are such efforts as information exchange, application of ICT, and the utilization of high technology for inspection machinery. Capacity Building is a key to ensure availability of the necessary administrative and operational resources.

- ASEM Customs, in this respect,
 - confirmed the importance of enhancing Asia-Europe cooperation through the ASEM Framework, along with the multilateral framework of the WCO, and other multilayered cooperative frameworks.
 - agreed to rationalize and improve efficiency of ASEM's Customs-related activities.
 - discussed also promoting cooperation with the private sector in various areas.