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**COMMON MARKET FOR EASTERN AND**

**SOUTHERN AFRICA**

**INAUGURAL MEETING OF THE TECHNICAL WORKING GROUP**

**ON CUSTOMS CAPACITY BUILDING**

Virtual Meeting

16-17 September 2021

**REPORT OF THE INAUGURAL MEETING OF THE TECHNICAL WORKING GROUP ON CUSTOMS CAPACITY BUILDING**

***THEME: COMESA - Towards Digital Economic Integration***

*BS/CC(2021)*

**INTRODUCTION**

1. The Inaugural Meeting of the Technical Working Group (TWG) on Customs Capacity Building (CCB) was held virtually on 16-17 September 2021. The main objective of the meeting was to establish the TWG on Customs Capacity building and consider modalities of its operations such as Terms of Reference, Rules of Procedure and Programme of work.

ATTENDANCE

1. The meeting was attended by Customs experts drawn from the following Member States: Burundi, Egypt, Eswatini, Malawi, Mauritius, Rwanda, Seychelles, Uganda; Zambia and Zimbabwe which are members of the TWG on CCB and Secretariat. The list of Participants is attached as ***Annex 1***.

**OPENING OF THE MEETING (***Agenda Item 1)*

1. Alice Twizeye, Senior Trade Officer in the COMESA Secretariat,made opening remarks on behalf of Director Trade and Customs Division. She welcomed the technical experts to the Inaugural meeting of the TWG – CCB which was being held virtually as has become a new normal towards containing the spread of COVID-19.
2. She opened her statement by recalling that it was in recognising the importance of Customs capacity building to the furtherance of the region’s commitments to the WTO Trade Facilitation Agreement, and in acknowledging capacity building as a continuous activity, noted that the Forty-First Council, in its meeting of 26 November 2020, had established the TWG – CCB.

5. She further underscored the importance of regional approach to capacity building as that helps in building mutual confidence and trust among Member States through exchange and sharing of best practices, experiences and skills.

6. She observed that the TWG – CCB had a lot of work regarding development and harnessing of human skills in the region, particularly in areas that Council prioritized at its Forty-First meeting.

7. In closing her statement, the Senior Trade Officer implored delegates to participate fully, freely and with focus more on regional rather than national interests given their participation on the TWG-CCB as technical experts in Customs Capacity building.

**ELECTION OF THE BUREAU (***Agenda Item 2)*

8. The meeting elected the following Bureau:

Chair: Chikumbi Chama (Zambia)

Vice Chair: Vikash Rampadaruth (Mauritius)

Rapporteur: Patience Dlamini(Eswatini)

**ADOPTION OF THE AGENDA AND ORGANISATION OF WORK** *(Agenda Item 3)*

9. The meeting adopted the following Agenda

1. Opening of the Meeting
2. Adoption of the Agenda and Organisation of Work
3. Terms of Reference
4. Rules of Procedure
5. Election of the Bureau
6. Programme of Work
7. Cooperation with the WCO
8. Any Other Business
9. Adoption of the Report

**TERMS OF REFERENCE (ToRs) (***Agenda item 4)*

10. Secretariat made a presentation on the draft ToRs for the TWG on CCB. The presentation highlighted the composition, attendance of meetings and responsibilities.

**Discussion**

11. The meeting reviewed the terms of reference for the TWG-CCB.

**Recommendation**

12. The meeting recommended that the terms of reference in ***Annex 2*** be adopted.

**RULES OF PROCEDURE** *(Agenda item 5)*

13. The Secretariat made a presentation on draft rules of procedure for the TWG on CCB. The presentation highlighted key issues such as election of members of bureau, convening of meetings, frequency, venue of meetings and costs; voting, languages, amendment and entry into force.

**Discussion**

14. In the discussion, the meeting proposed that the TWG should endeavor to approach matters expertly and objectively and only as a last resort and when all other avenues have failed, the Bureau may decide that a matter under consideration by the TWG - CCB be voted by a secret ballot.

**Recommendation**

15. The meeting recommended that the Rules of Procedure in ***Annex 3*** be adopted.

**PROGRAMME OF WORK:** consideration of *Modus Operandi* *(Agenda item 6)*

16. The Secretariat made a presentation on the work outstanding from the 2018-2020 COMESA work programme related to capacity building. The presentation highlighted the following areas that were prioritised by the 41st meeting of Council as requiring capacity building activities;

1. Coordinated Border Management
2. Electronic Single Window
3. One Stop Border Post
4. Establishment of E-Learning Platform
5. Trade Information Portal
6. Customs Automation
7. E-Certificate of Origin
8. Authorised Economic Operators (AEO)
9. Electronic Cargo Tracking System
10. Clearance Time Performance Measurement (TRS)
11. e-Commerce
12. Other customs and trade facilitation systems

17. The meeting was presented with four options for the execution for the development of training modules/materials in the areas prioritised above. The following modalities of working were proposed for the TWG CCB:

1. Assign specific subject areas of work to TWG - CCB members to develop drafts. The members would then present the drafts to the TWG – CCB at an agreed time.
2. Choose a small group of four or five members to meet and develop drafts which then should be presented to the TWG – CCB at an agreed time.
3. The whole TWG – CCB meets at one point and work in smaller groups on specific subject areas to develop drafts. Each small group should then present its drafts to the other members of the TWG – CCB for their input.
4. Engagement of consultants to develop drafts in subject areas where there is no expertise within the TWG- CCB

**Discussion**

18. In the discussion, the meeting raised the following issues:

19. The meeting noted that convening of the TWG –CCB Inaugural meeting was delayed which has affected the delivery of the work programme as provided by the Council decision. Therefore, there is a need to revise the period for development of the training materials.

20. The meeting noted that some initial work had been done on some of the priority areas either from previous or ongoing consultancies or technical assistance interventions. This covers areas such as AEO, Coordinated Border Management, Electronic Certificate of Origin, Customs Automation. This would be used as a base to build on to proceed with the development of training manuals/materials.

21. In preparing modalities on how to execute work on the outstanding priority subject areas, the experts outlined their areas of expertise during the meeting. Following the presentations, it was observed that each of the outstanding areas had a technical expert within membership of the TWG –CCB

22. The meeting agreed to proceed with execution of the work programme under option 3. This is because experts would have opportunities to learn from each other and that this option offered opportunity to work faster.

**Recommendation**

23. The TWG-CCB recommended that Council be requested to extend the period of implementation of the work programme to the end of 2022.

**COOPERATION WITH THE WCO** *(Agenda item 7)*

24. The meeting was informed that from August 2021,COMESA has been working in collaboration with the WCO in the area of capacity building under the EU-WCO Programme for Harmonised System (HS) in Africa. The aim of the Programme is to build capacity on HS transposition and HS related matters. Furthermore, under the Programme support will include general Capacity Building in the HS, developing local Trainers in the subject area and working towards accrediting some of the Regional Experts for continued capacity building and knowledge furtherance.

25. The WCO also indicated readiness to provide support in the implementation of Advance Rulings on tariff classification and Rules of origin through training and support for the drafting of legal frameworks.

26. Further, the WCO provides capacity building support to COMESA under other programmes such as the joint WCO-JICA Master Trainer Programme (MTP) which to date has resulted in the pool of trainers in HS, Customs Valuation and Post Clearance Audit. However, few of COMESA Member States are beneficiaries of the other capacity building programmes offered by the WCO with only 7 out of 21 COMESA Member States being beneficiaries of the WCO-JICA MTP.

27. The meeting was requested to propose other areas which WCO could provide capacity building support and on how best to engage WCO as a regional group.

**Discussion**

28. In the discussion, the meeting raised the following issues:

1. The meeting noted the need to come up with an inventory of experts within the region including their specific areas of expertise. In that respect, the Secretariat was tasked to circulate a questionnaire seeking details of experts and their areas of expertise by 4 October 2021.
2. The meeting further noted the need to identify capacity building needs based on Member States submissions of Categories B and C under the World Trade Organization Trade Facilitation Agreement.
3. Based on the inputs from the database of the experts within Customs Administrations and the identified training needs, the meeting proposed that the TWG–CCB should then work on priority interventions in accordance with the chosen option as the mechanisms for delivery or implementation of the work programme and this work should commence at the meeting planned for first half of November 2021.
4. The meeting requested the Secretariat to compile and circulate information on training materials that have already been developed and those that are being prepared by Consultants’ relevant to the priority subject areas.
5. Further, the meeting requested the Secretariat to share details of areas being covered by WCO support to the region and experts to undertake national consultations to facilitate further discussions on areas of engagement with WCO at the next meeting.

**Recommendations**

29. The meeting recommended that the Secretariat:

1. circulate a questionnaire seeking details of experts and their areas of expertise by 4 October 2021.
2. identify capacity building needs based on Member States submissions of Categories B and C under the World Trade Organization Trade Facilitation Agreement and submit report to the next meeting of the TWG-CCB.
3. compile and circulate information on training materials that have already been developed and those that are being prepared by Consultants’ relevant to the priority subject areas.
4. share details of areas being covered by WCO support to the region and experts to undertake national consultations to facilitate further discussions on areas for engagement with WCO at the next meeting.

**ANY OTHER BUSINESS (***Agenda item 8)*

30. The meeting proposed that the training modules incorporate regional case studies that demonstrate regional processes to address trade disputes. The TWG-CCB to also consider developing manuals that will support decision making by Managers.

31. The meeting proposed that the TWG-CCB and Secretariat consider development of a reliable regional repository of training materials/manuals.

**ADOPTION OF THE REPORT (***Agenda item 9)*

32. The meeting adopted its report.

**CLOSURE OF THE MEETING** *(Agenda Item 10)*

33. The Chairperson thanked the customs experts for their active participation during the meeting and all the support staff who had facilitated the meeting.

34. She expressed her confidence that the team would deliver on the mandate assigned to it and work should start at the earliest possible time given that almost a year had gone by since Council mandated the establishment of the TWG-CCB.

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   MsChikumbi Chama             Mr Vikash Rampadaruth Ms Patience Dlamini

**CHAIRPERSON                                VICE CHAIR                         RAPPORTEUR**

**(Zambia )                                          (Mauritius)                             (Eswatini)**