



PRESENTATION BY THE
REPUBLIC OF MOLDOVA ON
MOLDOVA'S NATIONAL
ACTION PLAN ON TRADE
FACILITATION

Committee on Trade Facilitation, WTO


Geneva, 2 May 2018

General aspects:

The Republic of Moldova - the **84th** country to ratify the Agreement TFA (Law no. 129 of 9 June 2016. The instrument of ratification was deposited on 24 June 2016).

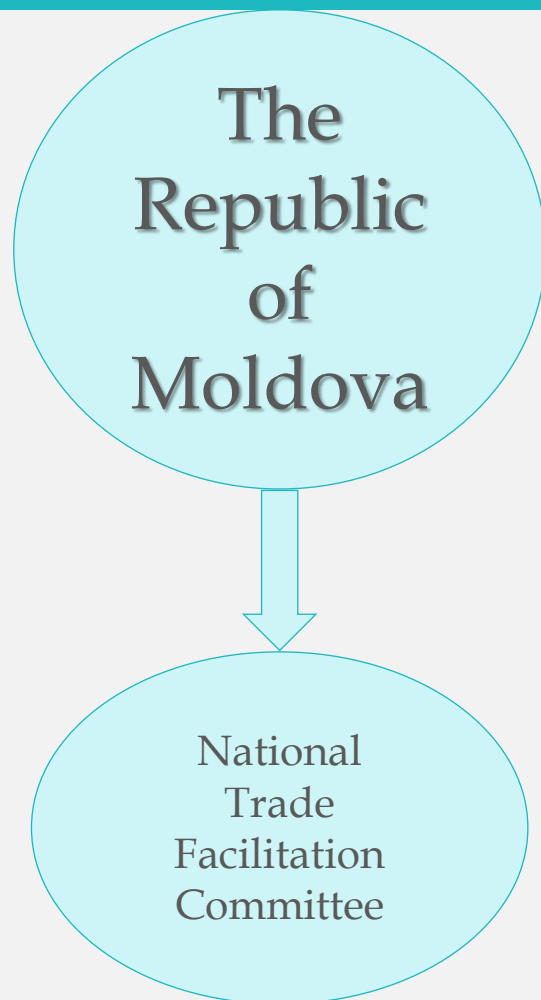
Trade Facilitation Agreement (TFA), entered into force on **22 February 2017** following its ratification by two-thirds of the WTO membership (112 of 164).

National Trade Facilitation Committee was approved on **25 January 2017** (Government Decision no. 26). By amendments to Annex no. 1 to Government Decision no. 631 of 22.08.2011 "On Economic Council to the Prime Minister", were extended Economic Council's functions to NTFC.



WTO OMC

National Trade Facilitation Committee (Article 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...”

The **National Trade Facilitation Committee** in Moldova was established under the **Economic Council to the Prime Minister** – an existing communication platform that includes representatives of the public authorities and of the business community.

Amendments to the Council Regulation were adopted by the Government Decision no. 26 of 25.01.2017

Members of the National Trade Facilitation Committee

as of April, 2018

- 1) State institutions and public authorities - **22 authorities**
- 2) Associative structures of the business community - **34 associations**
- 3) International organizations in the area of regulatory reform - **10 organizations**
- 4) Representatives of the scientific and research community - **5 institutions**

In 2018 - another **30 new members** from business associations and research/scientific community will join EC/NTFC

*Full and updated list is available on the website of the Committee:
<http://consecon.gov.md/en/2017/06/05/members/>*

National Action Plan for Trade Facilitation

- The National Action Plan for Trade Facilitation was adopted on 12 December 2017 pursuant to Government Decision No. 1065.
- The Plan comprises **92 actions** divided into **20 thematic chapters** and **35 articles**.



National Action Plan for Trade Facilitation

- 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.

ADVANCE COPY

Regulatory and Procedural Barriers to
Trade in the Republic of Moldova

Needs Assessment



United Nations
New York and Geneva, 2017

National Action Plan for Trade Facilitation

Main areas of intervention :

- **Access to information, ensuring transparency in trade regulation:**
Trade Portal, guides, authorities webpages, information points, consultations in decision-making;
- **Ensuring predictable rules for carrying out trade:**
Notifications, prior decisions, regulated detention procedures, tests, trade-related taxes, applicable and appropriate sanctions;
- **Simplifying administrative procedures applicable to trade:**
Developing AEO, simplified customs procedures, urgent deliveries, perishable goods, single window for trade implementation (**June, 2018**), NCTS (Electronic Transit System) implementation;
- **Implementation of modern information technologies in state control procedures of commerce and automation 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.**

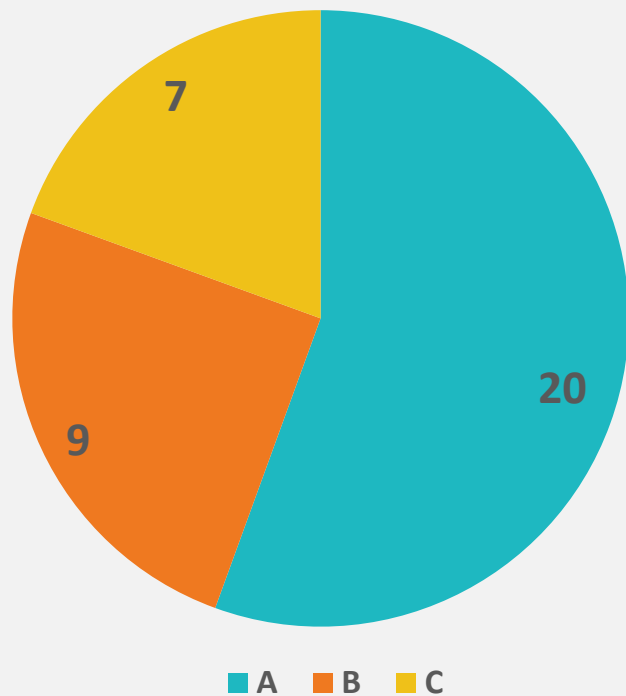
Notifications

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>

Status of special and differential categories

as of April 2018

Implementation 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%

Trade Facilitation in the CEFTA region

The Republic of Moldova is a Central European Free Trade Agreement party since **1 May 2007**.

The **Additional Protocol 5 to the Agreement on amendment of and accession to the CEFTA** was adopted on **17 November 2017** by Law 238.

Main achievements:

- creating the AEO Network - the AEO Association of Moldova, set up by the Chamber of Commerce and Industry of the Republic of Moldova as a platform for communication with the companies that obtained the status of AEO. Promote the AEO recognition mechanism in CEFTA and trade with the EU;
- the promotion of the new European Professional Standard of Customs Brokers (Standard SM EN 16992: 2017) which aims to establish the competence and professionalism criteria for customs representatives;
- consultation of the new Customs Code of the Republic of Moldova in order to ensure the transposition of the European standards;
- training of operators at the recently launched Exporter Academy.

Implementation of the NAP

TRADE FACILITATION AND CUSTOMS PROCEDURES:

- Elaboration of the draft new **Customs Code**, which has passed the endorsement stage and is under the legal and anti-corruption expertise, and will be submitted to the Government for examination and approval by the end of May;
- The approval of the **Border Protection Mechanism** for the geographical indications registered under the bilateral agreements, by the Customs Service Order no. 137-O of 28.03.2018;
- Development of the mechanism for mutual recognition of the status of authorized economic operator (AEO) between the European Union and the Republic of Moldova, with a total of **114 economic agents - holders of AEO authorizations**;
- Further extension of the electronic declaration for all customs procedures and regimes, the indicator recording the values of: **98,81%** on export and **38,14%** on import.
- Approval of the Roadmap which includes **15 actions** to implement the Mutual AEO recognition between the RM and the EU, and agreement to extend the pilot project for unilateral recognition of AEO in the EU for another 6 months.
- On the **21st of February 2018** was held a working experts meeting from the Republic of Moldova and Romania, where the pilot project of unilateral AEO recognition in the EU at the Moldova-Romania (Leuşeni) border customs post was positively evaluated, and were set the common actions for further coverage of the pilot project, the unification of joint actions in dialogue with DG TAXUD to initiate AEO mutual recognition of EU and RM (reference document: Minutes on the operational conclusions of the working meetings of 21 – 22 February 2018).
- Pilot project of unilateral recognition of EU AEOs was launched, Customs Service facilitated procedures for 15 EU AEOs ensuring the average timing for border crossing of **15 minutes** (in Leuşeni).

Implementation of the NAP

- TARIM - has been updated and is accessible;
- The Law **No 160 of 22.07.2011** on the regulation of authorization of entrepreneurial activity was amended **21 September 2017**, thus reducing the number of permits issued by the *Customs Service* from **9** to **1**.
- Trafficking in customs posts on-line-functioning - **23 monitored customs posts**;
- Interactive-functional map is accessible (<http://customs.gov.md/en/content/harta-interactive>);
- Construction and endowment of the crossing point in Ukraine for the joint control at the **Pervomaisc-Kuciurgan** and **Giugiulesti- Reni**;
- Issuance of the Certificate which is part of the TACIT approval procedure of the permissive act – done by Customs Service - **Customs Authorization**.
- During the first quarter of 2018:
 - quota of **import customs declarations** directed on the **red corridor-6.37%**, **yellow-20.53%**, **green-70.10%**
 - quota of **export customs declarations** directed on the **red corridor-2.71%**, **yellow-5.36%**, **green-91.93%**.

Implementation of the NAP

- Twinning Project "*Supporting the Modernization of the Customs Service of the Republic of Moldova in Accordance with the Requirements of the Association Agreement*" - launched on **21 November 2017**;
- Enhancing institutional capacities in the field of trade facilitation - **762 custom officers** were trained, **23 training activities** were organized on **16 themes**;
- China Project: scanners were received on **22-30 January 2018** - will be installed at Chisinau International Airport and PV Ocnita-Sokirean during 2018.

TO DO ACTIONS:

- Twinning Project for the implementation of the "*Single Counter*" (Order of the Customs Service no. 24-o of 18.01.2018; from 07.03.2018) in progress;
- Implementation of the TWINNING Program on the **Single Window**;
- Implementation of the TWINNING Program on the **New Computerized Transit System (NCTS)**;
- "Construction of the Palanca border crossing point for the joint control on the territory of the Republic of Moldova" - EU-funded project through the UNDP .

Implementation of the NAP

FREEDOM OF TRANSIT:

- algorithm for the identification of foreign citizens crossing the state border has been modified;
- the project "*Enhancing integrated border management along the Ukraine-Moldova border*" - launched on **6 February 2018** - make operational the agreement on data exchange on (Automated Info Exchange -AIE) people and transport crossing the border between Moldova and Ukraine, which also includes modernization of IIS of BP (project implemented by IOM and EUBAM).

PRELIMINARY PROCESSING:

- elaborating the "*Regulation on road transportation of perishable goods and highly perishable products*".

NOTIFICATIONS CONCERNING STREAMLINED CONTROLS AND INSPECTIONS:

- implementation and ensuring the activity of *Dispute Settlement Council* by amendments to the "Regulation of National Agency of Road Transport" according to Government Decision no. 258 from 28.03.2018 whose composition and regulation of activity are approved by the Director of Agency.

Implementation of the NAP

SANITARY AND PHYTOSANITARY MEASURES:

- Project (MAC-P), the National Food Safety Agency - launched **4 veterinary and phytosanitary Border Inspection Points (BIP)** at Tudora, Criva, Giurgiulești and Leușeni (*WB support*);
- Operational procedure PO-05/03 **Notification of the alert system for food and feed RASFF** at the central of the NFSA - elaborated and approved;
- Project (MAC-P), in the year 2017, the **laboratory for testing of the quality and health of plants, feed and food** in Bălți district was built and put into operation (*WB support*);
- **LIMS Information System** is functional and allows faster monitoring of the results of the investigations and the stage of the required investigation;
- The Law **No 160 of 22.07.2011** on the regulation of authorization of entrepreneurial activity was amended **21 September 2017**, thus reducing the number of permits issued by the NFSA from **34 to 8**, therefore excluding the sanitary-veterinary permit for import, export and transit.

Implementation of the NAP

ACREDITATION AND CONFORMITY ASSESSMENT:

- On October 5th 2017 Multilateral Agreement Council of EA has taken the decision of accepting MOLDAC into the community of MLA signatories. As a result there has been signed Bilateral Recognition Agreement (EA BLA).
- MOLDAC has become a Full Member of International Cooperation for Laboratory Accreditation (ILAC) by signing on October 1, 2017 ILAC-MRA agreement.
- Introduced modification into a number of documents in MOLDAC Management System, thus improving them and better harmonizing them with European and international requirements.
- MOLDAC has introduced modifications to the Regulation of Accreditation Council's operation and functioning, thus established a new composition of the Council.
- MOLDAC has accredited 123 conformity assessment bodies: laboratories, certification bodies and inspection bodies.

Implementation of the NAP

METROLOGY:

- NMI became an associate member of WELMEC (11.05.2017) and EURAMET (17.05.2017);
- The Euro-Asian Cooperation of National Metrological Institutions (COOMET) reconfirmed the recognition the Quality Management System implemented by INM based on the reference standard SM SR EN ISO/CEI 17025:2006 (Certificate no. QSF-R52 from 31.01.2018);
- NMI has published, on the International Bureau for Weights and Measures (BIPM) website, its Calibration and Measurement Capabilities (CMC tables) in the area of length (29.10.2017). Thus, NMI has CMC tables published in the area of thermometry, ionizing radiation and length.
- Ongoing inter-laboratory comparisons at international level in the framework of COOMET (22 *comparisons*), EURAMET and 17 national comparisons;
- The National Database of Measurement Standards comprises 15 standards. In 2018 - two more standards to be modernized/declared.
- NMI also has cooperation agreements with National Metrology Institutes from **Romania** (INM and BRML), **Belarus** (BELGIM), **Czech Republic** (CMI), **Turkey** (TUBITAK UME), **Poland** (GUM), **Bosnia and Herzegovina** (IMBIH) and is in the process of signing agreements with Uzbekistan and Ukraine (Kharkov).
- NMI has created a *Conformity Assessment Body* based on MID and NAWI European Directives, which is now in the process of accreditation.

Implementation of the NAP

FAMILIARIZATION OF THE PROVISIONS OF THE DCFTA BETWEEN THE RM AND THE EU:

Project activities to improve visibility and communication relating to AA/DCFTA implementation are grouped under three components:

- *Full implementation.* Actions include: conducting opinion survey and detailed qualitative research into public and businesses' awareness and information needs related to AA/DCFTA; developing and utilising a web platform (EU4Business) and social media networks to provide information for businesses and the public; creating an “Online News Bureau” to provide factual information about AA/DCFTA implementation and opportunities;
- *Full participation.* Actions include: providing information and details of available support to businesses online and through “**One-Stop Shop**” bus tours of regions to assist businesses to take advantages of opportunities and overcome challenges in relation to DCFTA; simplifying and packaging information to make it easy to find, understand and use; providing practical guides and training for different types and sectors of businesses according to their needs in online, printed and video formats;
- *Public awareness-raising programme.* Action include: organising three national communications campaigns; producing and disseminating **15 video spots**; organising **40 training sessions/workshops/visibility** events throughout the Republic of Moldova.

Implementation of the NAP

MARKET SURVEILLANCE:

- Elaboration of the Regulation on the functioning of the national information and communication system for market surveillance and information.
- **913 economic agents** were advised by CPA:
- **14 roundtables**, with business areas from different fields of activity, where 250 economic agents were consulted;
- **3 information campaigns** - consulting 195 economic agents;
- **55 consultations** were carried out - consulting 109 economic agents;
- telephone consultation was granted to 187 economic agents;
- **172 petitions** / notifications / minutes examined;
- **116 media appearances** (TV, Radio, written press, live shows, etc.), 2 advertising spots;
- **24 press releases**, 9 useful information, 16 success stories were placed on the web page;
- web page has been viewed by 121410 individuals;
- a total of **7535 leaflets** / cards were distributed.

Assistance needs

The Republic of Moldova needs **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

Thank You!!!

Mihaela Gorban
Head of International Cooperation Division
Ministry of Economy and Infrastructure

mihaela.gorban@mei.gov.md

tel: + 373 22 250 554