

GUIDANCE NOTE FOR NATIONAL TRADE FACILITATION COMMITTEES

COMPLYING WITH TRANSPARENCY NOTIFICATIONS UNDER THE TFA

The singularity of the WTO Trade Facilitation Agreement resides in its comprehensiveness; the Agreement takes into consideration most of the challenges associated with international trade and not only identifies provisions to increase the efficiency of trade *via* a series of technical measures to be implemented at the national level, but also includes provisions to facilitate access to relevant information for WTO Members and trade operators.

The concerns of traders and underdeveloped countries are highlighted in the Agreement as interlinked issues that, if addressed correctly, can translate into real market access and growth opportunities for both groups. The TFA addresses such issues through legal requirements aimed at enforcing transparency in international trade.

Transparency notifications

These “transparency notifications” must be notified by each WTO member to the WTO Committee on Trade Facilitation (CTF). The notifications aim at keeping traders and governments informed in a timely fashion about progress made regarding countries’ integration in the global trading system. They enable the WTO to gather all information pertaining to-and to promote-optimum transparency levels. Once implemented, the transparency notifications will serve to demystify the global trading environment and ensure that all stakeholders derive maximum benefit from a system characterized by optimum transparency levels. The notifications provide information regarding contact points and website addresses related to the implementation of specific provisions.

Article	Legal Provisions
Section I	
Art. 1.4 (a) and (b) Notifications regarding the official places of publication of importation, exportation and transit procedures	Members shall provide the CTF with the names of the official publications and the address(es) of the website(s) where the information required by Article 1.1 (from (a) to (j)) and 1.2 has been published.
Art. 1.4 (c) Notifications of the enquiry points’ contact information	Members shall provide the CTF with the contact details of its enquiry point(s) (as referred to in Art. 1 3.1).
Art. 10.4.3 Operation of the single window	Members shall notify the CTF of the details of operation of the single window.
Art. 10.6.2 Use of customs brokers	Members shall notify the CTF and publish their measures on the use of customs brokers. Any subsequent modifications thereof shall be notified and published promptly.
Art. 12.2 Contact points for customs cooperation	Members shall notify the CTF of the details of its contact point for the exchange of information.

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Section II	
Art. 22.3 Contact points for coordinating capacity building support	Developing country Members and least-developed country Members intending to avail themselves of trade facilitation-related assistance and support for capacity building shall submit to the Committee information on contact point(s) of the office(s) responsible for coordinating and prioritizing such assistance and support.

The value proposition of each of these notifications goes beyond theoretical transparency but enables practical benefits whereby access to quality information sustains the multilateral trade system, contributes to the overall competitiveness and attractiveness of countries and facilitates traders' operations.

The implementation of these legal requirements is expected to result more specifically in the following advantages for traders: correct and up-to-date information on border procedures and formalities; less time spent searching for such information; reduction in the information asymmetry between SMEs and large companies and in some cases, cost-savings in terms of hiring of experts/specialists to find and provide information etc.

ECOWAS Member States' Transparency Notifications Status

ECOWAS Member Country	TRANSPARENCY NOTIFICATIONS								TACB CONTACT NOTIFICATION
	1,4	Category	10.4.3	Category	10.6.2	Category	12,2	Category	22,3
Benin	30/06/2020	B	31/12/2020	B	22/02/2018	A	22/02/2018	A	✓
Burkina Faso	† TBD	B	† TBD	C	22/02/2018	A	† TBD	C	✓
Cabo Verde	01/01/2025	B	01/01/2026	C	01/01/2022	B	01/01/2024	C	Not notified
Côte d'Ivoire	10/07/2020	B	10/07/2020	C	10/07/2020	C	10/07/2020	C	✓
The Gambia	22/02/2021	B	22/02/2022	C	22/02/2021	B	22/02/2021	B	Not notified
Ghana	22/06/2022	C	22/07/2021	B	22/07/2021	B	22/09/2025	C	Not notified
Guinea	22/02/2025	B	‡ TBD	C	22/02/2023	B	22/02/2023	B	✓
Guinea-Bissau	No notifications made								
Liberia	22/02/2018	A	TBD	C	22/02/2018	A	TBD	C	Not notified
Mali	‡ TBD	C	‡ TBD	C	31/12/2025	B	22/02/2018	A	Not notified
Niger	22/02/2018	A	‡ TBD	C	31/12/2019	B	‡ TBD	C	Not notified
Nigeria	22/02/2022	B	22/12/2025	C	22/12/2020	B	22/02/2024	C	Not notified
Senegal	‡ TBD	C	07/09/2020	A	07/09/2020	A	07/09/2020	A	✓
Sierra Leone	† TBD	B	‡ TBD	C	† TBD	B	‡ TBD	C	Not notified
Togo	22/02/18	A	31/12/2022	B	31/12/2022	B	22/02/18	A	Not notified

† Extension has been granted for presentation of definitive dates for Category B provisions which must now be notified before 22/02/2021.

‡ All LDCs must notify the definitive implementation date of their Category Cs by 22/02/2022.

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When to present transparency notifications?

Submission deadlines for transparency notifications vary in accordance with Members' ratification and identified implementation dates. Members can choose to classify notifications in Categories A, B or C, thus publicly committing to a deadline¹.

Examples:

1. If an LDC categorizes Art. 1.1 as an A commitment, then it is required to notify the Committee regarding the corresponding part of the notifications required under Art. 1.4 by 22 February 2018 (entry into force of the TFA: 22 February 2017 plus one (1) year of additional time granted for LDCs).
2. If a country categorizes Art. 12 as a C commitment and has notified the definitive date for implementation for the Article as 31 December 2025, then the notification under Art. 12.2 shall be sent before 31 December 2025, etc.

Requests for extensions

Extensions to present the notifications to the WTO CTF are permitted under specific circumstances. Developing countries must notify the Committee 120 days before the expiration of the implementation date if they are unable to comply with the notification deadline. Least-developed countries must notify the Committee 90 days prior to the expiration of the implementation date².

How to present transparency notifications?

In an effort to reduce the administrative burden on Members, the WTO has simplified the notification procedure by providing templates³. Each Member is required to present their notifications using these templates or they will be rejected. Once filled in, they shall send them through their representation to the WTO.

¹ In the case of least-developed countries, Category A notifications were to be delivered by 22 February 2018. Category B requirements were to be definitively notified by 22 February 2020, and Category C requirements must be definitively notified by 22 August 2022.

² Annex 1: WTO Template for requesting an extension to the CTF

³ Accessible via: <https://tfadatabase.org/notifications>

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