

JOINT RESOLUTION OF THE
CUSTOMS CO-OPERATION COUNCIL'S¹ POLICY COMMISSION
AND THE PRIVATE SECTOR CONSULTATIVE GROUP CONCERNING
THE WCO SAFE FRAMEWORK OF STANDARDS AND THE UNITED STATES
LEGAL REQUIREMENTS FOR 100 PERCENT CONTAINER SCANNING² AT EXPORT

THE POLICY COMMISSION OF THE CUSTOMS CO-OPERATION COUNCIL¹ AND THE WCO PRIVATE SECTOR CONSULTATIVE GROUP,

NOTING THAT :

- the World Customs Organization (WCO) is the intergovernmental organization competent in Customs matters and that it represents 171 Customs administrations world-wide;
- the Council of the World Customs Organization unanimously adopted the WCO Framework of Standards to Secure and Facilitate Global Trade in June 2005;
- the objective of the WCO SAFE Framework of Standards is to establish standards that provide supply chain security and facilitation at a global level to promote certainty and predictability.

FURTHER NOTING :

- that the US Law "Implementing Recommendations of the 9/11 Commission Act" of 2007 requires the 100 percent scanning of US-bound containers at a foreign port.

CONCERNED that the implementation of the requirement for 100 percent container scanning at export :

- would be detrimental to world trade, as well as economic and social development at national and global level;
- would introduce a significant non-tariff trade barrier and bring about disproportionate infrastructure, operational and inventory costs to both trade and economies;
- would deviate from trade facilitation and logistical efficiency and result in unreasonable delays, increased storage demands and port congestion;
- would present severe international trading difficulties to everybody, including small and medium sized enterprises in the United States and other countries.

NOTING ALSO :

- the core elements of the WCO SAFE Framework of Standards :
 - advance electronic cargo information,

¹ Customs Co-operation Council is the official name of the World Customs Organization (WCO).

² Reference to image scanning only.

- use of a consistent risk management approach to address security threats,
- selective intelligent outbound inspection of high-risk containers and cargo using non-intrusive detection equipment, such as scanners and detectors, based on international Customs co-operation and risk analysis,
- provision of benefits to businesses that comply with supply chain security standards;
- the provisions on trade facilitation and risk management in the WCO Convention on the Simplification and Harmonization of Customs Procedures, known as the “Revised Kyoto Convention”, to which the United States is a Contracting Party, as well as the recommendations related to the mutual recognition of control standards and a multi-layered risk-based approach in line with the WCO SAFE Framework of Standards;
- the security provided by authorization of companies through trade partnership programmes.

GATHERING :

- the expertise of governments, Customs administrations, private sector operators active in international trade and relevant international organizations.

RESOLVES :

- To express its opposition to 100 percent scanning of containers at export and its impact on world trade.
- To petition the United States Congress to take all appropriate steps to review the requirement of 100 percent scanning legislation, and to reconsider its implementation.
- To recommend the United States Congress to support the WCO SAFE Framework of Standards as well as capacity building to ensure implementation.

Done at Almaty on 6 December 2007.

Tapani Erling,
Chairperson of the WCO Council.

Renée Stein,
Chairperson of the Private Sector Consultative Group.