

Action Plan of the Tripartite
(Japan, the People's Republic of China, and the Republic of Korea)
Customs Cooperation as revised in 2017

Customs and Tariff Bureau of the Ministry of Finance, Japan,
General Administration of Customs of the People's Republic of China, and
Korea Customs Service of the Republic of Korea (the Three Customs),

Acknowledging that as close and important neighbors, Japan, the People's Republic of China, and the Republic of Korea have significant influence in the East Asian region, and that the economic and trade relations among the three countries have witnessed continuous development and the tripartite partnership is increasingly close;

Convinced that with the constant development of globalization and regional economic integration, enhanced cooperation among the Three Customs would help to create a safer environment to promote trade facilitation and development of trade in the region;

Having regard to the "Joint Declaration for Peace and Cooperation in Northeast Asia" issued at the Sixth Japan-China-ROK Trilateral Summit Meeting in the Republic of Korea on 1 November 2015, which expressed continued support for the active implementation of the Action Plan of the Tripartite Customs Cooperation (the Action Plan);

Having regard to the "Joint Statement on Customs Cooperation on Trade Facilitation" released at the Sixth Trilateral Summit Meeting, which instructed the tripartite customs authorities to implement substantive measures to address the common issues through the framework of Tripartite Customs Heads' Meeting (TCHM), in particular, through the Action Plan; and

Pursuant to the original Action Plan which was adopted at the third TCHM in Beijing, the People's Republic of China on 28 September 2009 and the Action Plan as revised at the fourth TCHM in Tokyo, Japan on 11 November 2011;

Have adopted the following Action Plan:

I. Institutionalization

A. Tripartite Customs Heads' Meeting

The Three Customs will hold the TCHM as one of the important dialogue mechanisms among the three countries.

In the TCHM, the Three Customs will:

- review the works of the working groups of the Three Customs;
- exchange views on tripartite, regional and international Customs matters from the strategic perspective;
- discuss future directions of the Three Customs cooperation;
- expand and deepen the mutually beneficial cooperation in relevant fields; and
- develop and maintain friendly and cooperative economic and trade relations

The Three Customs will take turns to host the TCHM to be held in principle once a year. In connection with the Trilateral Summit, the Customs administration of a country that chairs the Trilateral Summit will also chair the TCHM.

B. Tripartite Customs Steering Group Meeting

The Three Customs will hold the Tripartite Customs Steering Group Meeting (SGM) in principle once a year to coordinate the works of the working groups and make preparations for the TCHM.

The chair of the TCHM should convene the SGM before the TCHM. Whenever necessary, the Three Customs may hold the SGM.

C. Tripartite Customs Working Groups' Meetings

The Three Customs may hold Tripartite Customs Working Groups' meetings to discuss technical issues. The Working Groups' meetings, at the

current stage, are the meetings of the Intellectual Property Rights (IPR) Working Group, the Customs Enforcement and Intelligence (CEI) Working Group, the Authorized Economic Operator (AEO) Working Group and the Customs Procedures Working Group.

The Three Customs may establish additional Working Groups with the approval of the TCHM, depending on the needs and the situations. In the Tripartite Customs Working Groups' Meetings, the Three Customs will:

- implement decisions at the TCHM and at the Working Groups' Meetings;
- conduct the specific cooperation programs of the Three Customs in the relevant fields; and
- undertake the Working Groups' daily operations respectively.

The chair of the TCHM should report the progress of the Working Groups to the TCHM.

The Three Customs should keep contact and communication with each other, and may visit each other's Customs at the working level to promote the works of the Working Groups.

II. IPR Protection

The Three Customs should enhance the border measures against IPR infringement.

The Three Customs should hold the IPR Working Group meeting in principle once a year to discuss border measures against IPR infringement from technical perspectives.

The IPR Working Group will continue implementing the IPR Action Plan ("Fake Zero Project (FZP)") to further enhance IPR enforcement information sharing, strengthen the exchanges of legislation and best practices, raise public awareness and enhance cooperation with right holders.

The IPR Working Group will review the implementation of the

FZP and may revise it where necessary. The revision will be reported to the TCHM. The IPR Working Group may run a pilot project in its review process.

The Three Customs will regularly provide information about goods infringing IPR in accordance with the FZP.

The Three Customs will cooperate when holding a regional seminar for IPR protection in cooperation with the World Customs Organization (WCO).

The Three Customs will enhance their communication with right holders, through such means as designating enquiry and contact points, jointly holding seminars with right holders, and providing training for or receiving training from the right holders.

III. Customs Enforcement and Intelligence

The Three Customs will promote information exchange among them and jointly fight against Customs offences so as to ensure the security of international trade and therefore to protect people from illicit drugs, firearms and terrorism, as well as to ensure appropriate taxation.

The Three Customs will hold the CEI Working Group meeting in principle once a year to discuss effective measures to promote the information exchange among them from the technical perspective.

The CEI Working Group will carry out and review the following activities, and report the progress to the SGM and TCHM:

- (a) The Three Customs will work towards ensuring timely information exchange on illicit drugs seizures, including New Psychoactive Substances, in accordance with significance and urgency. The Three Customs will also exchange information on Websites handling illicit drugs, to the extent practicable.
- (b) The Three Customs will enhance cooperation in the fight against

commercial fraud, which could lead to other criminal activities.

- (c) The Three Customs will work to mitigate risks associated with express parcels and postal items by such means as Non-Intrusive Inspection equipment, advance information, and exchanging information on exporters/consignors in accordance with respective laws and regulations. For this purpose, the Three Customs will respectively work towards gaining advance information through its postal authorities by promoting the exchange of such information between postal authorities.
- (d) The Three Customs will continue to share their experiences in the utilization of Advance Passenger Information (API) and Passenger Name Record (PNR).
- (e) The Three Customs will cooperate to enhance their anti-terrorism measures through timely information exchange on the smuggling cases and intelligence of terrorism related goods/materials and sharing of best practices of the Three Customs in this context.

IV. Mutual Recognition of AEO

The Three Customs will share their experiences in the management and development of respective AEO programs. The Three Customs will also cooperate in international forums including the WCO and Asia-Pacific Economic Cooperation (APEC) in the area of development of AEO programs and promotion of mutual recognition.

The Three Customs will promote cooperation in AEO mutual recognition, recognizing AEO programs as effective measures for trade facilitation and supply chain security.

The Three Customs should hold the AEO Working Group meeting when it is necessary, taking account of the need to report to the TCHM in a timely manner, to discuss tripartite cooperation.

The AEO working group, under the framework of the tripartite

Customs cooperation and in the principles of “increasing difficulty and phase-in”, will expedite its ongoing work by conducting an assessment of each other’s AEO program on a bilateral basis following the three steps of “program comparison, exchanging officers to conduct joint site validation, and overall assessment”, then further proceeds with the work for bilateral AEO mutual recognition depending on the outcome of the assessment. The details of the above-mentioned steps are as follows:

A. Program Comparison:

The Three Customs will compare each other’s AEO program through email and meetings from the perspectives of factors such as criteria, authorization procedures, validation, suspension -withdrawal and revocation, monitoring, benefits, and appeal, by comparing legislation, regulation and management of the programs.

B. Exchange Officers to Conduct Joint Site Validation :

The Three Customs will exchange officers with each other for joint site validation in each of the three Customs to have field observation and assessment of each Customs in conducting AEO authorization and validation where conditions allow after finishing the program comparison. This can be done by sending officers from two Customs to the other one where conditions allow and when the Three Customs decide so.

C. Overall Assessment:

The Three Customs will conduct an overall assessment of each other’s AEO program and decide whether or not to further proceed with the work for bilateral AEO mutual recognition.

The Three Customs will ensure the rigorous implementation of existing bilateral Mutual Recognition Arrangements (MRAs) among the three countries, and explore the means of their enhancement with a view of seeking possible further benefits and increasing effectiveness of tripartite cooperation in the context of AEO.

V. Customs Procedures and Trade Facilitation

The Three Customs will hold the Customs Procedures Working Group Meeting, in principle, once a year to discuss effective measures to improve customs procedures and promote trade facilitation among them from the technical perspective.

The Three Customs will enhance customs cooperation for trade facilitation and the improvement of customs procedures by implementing the Work Plan for the Improvement of Customs Procedures.

The Customs Procedures Working Group will draft, revise and submit the Work Plan for the Improvement of Customs Procedures to the TCHM, and will follow up the implementation of the Work Plan.

The Three Customs, noting the entry into force of the World Trade Organization (WTO)'s Trade Facilitation Agreement (TFA) in February 2017, which is mainly focused on the customs affairs, and considering customs could play a bigger vital role in the trade facilitation area, will constantly strengthen mutual trust and cooperation, jointly boost trade facilitation, and play a positive role as a catalyst in fostering trade facilitation in a larger scope.

The Three Customs will, with the aim of fostering an orderly regional trade environment and promoting the development of regional trade, exert their utmost efforts to promote regional trade.

The Three Customs will strengthen cooperation in the context of the WCO and the WTO to advocate their respective key instruments for trade facilitation, such as the Revised Kyoto Convention and TFA. In this context, the Three Customs will cooperate to hold regional seminars for trade facilitation in cooperation with the WCO.

VI. Enhancement of Human Resource Development

The Three Customs will enhance cooperation in the fields of human resource development to improve the overall qualities of Customs

officers in the Three Customs by exchanging relevant experience and best practices.

The Three Customs will send relevant officers with each other to enhance sharing of best practices and experience of the interested areas.

The Three Customs will promote the exchange of views regarding human resource development among their training institutions by utilizing opportunities of international meetings.

The Three Customs will, based on the bilateral Memorandums, facilitate the support to institutional human resource development and active exchange of officials.

VII. Cooperation in International Fora

The Three Customs will continue enhancing coordination and cooperation in Customs matters within the framework of relevant international organizations, such as the WTO and the WCO, as well as the regional cooperation mechanisms, such as ASEAN+3, APEC, and Asia-Europe Meeting (ASEM).

Having regard to the recently-initiated work on e-commerce at such international fora as the WCO, the Three Customs will discuss the possible means of cooperation, with a view to ensuring effective control over and facilitation of e-commerce across the border.

This Action Plan will commence on the day of signature by the heads of the Three Customs, and will be considered jointly for its modification by the Three Customs every two years thereafter.

To be done in Tokyo, Japan, on 30 November 2017, in triplicate in the English language.