



12 April 2020

(21-3004)

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Committee on Trade Facilitation

Original: English

NOTIFICATION OF ARRANGEMENTS AND PROGRESS IN THE PROVISION OF TECHNICAL ASSISTANCE AND CAPACITY BUILDING SUPPORT OF CATEGORY C DESIGNATIONS

COMMUNICATION FROM LESOTHO

The following communication, dated 6 April 2021 is being circulated at the request of the delegation of Lesotho.

Lesotho hereby notifies information on the arrangements concluded and progress made in the provision of technical assistance and capacity building support of the following category C designations, in response to Article 16 of the Trade Facilitation Agreement.

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 1.2	Information available through internet	C	31 December 2021	To be determined
Donors: World Bank Group (WBG)				
Progress in the provision of technical assistance and capacity building support:				
Lesotho launched the Trade and Information Portal in 2013 with the assistance from the WBG. The Trade and Information Portal has since been updated with the assistance of the WBG under the Trade Facilitation Support Programme in 2019-2020.				
The Trade and Information Portal is a web-based database system which allows all cross-border trade related information to be available. These cover applicable laws, administrative procedures, guide notes, permits, forms and tariff information. www.lesothotradeportal.org.ls				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 1.3	Enquiry Points	C	31 December 2021	To be determined
Donors: To be determined				
Progress in the provision of technical assistance and capacity building support:				
Multiple inquiry points are availed to trading community for enquiries on matters related to TBT, SPS and Customs. SPS enquires can be directed to mmolatela@yahoo.co.uk , TBT can be directed to dsga.gov@gmail.com centralised email enquiry on customs issues can be accessed at enquiries@lra.org.ls .				
Lesotho needs capacities that include:				
<ul style="list-style-type: none"> • Expansion of enquiry points beyond MTI, MAFS and LRA to other agencies • Strengthening SPS Committee by developing the ToRS and training • Capacity building on operating and maintaining enquiry points • Coordination and monitoring (in an electronic format) of the services for all enquiry points 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 4	Procedure for appeal or review	C	31 December 2023	To be determined
Donors: To be determined				
Progress in the provision of technical assistance and capacity building support:				
Administrative customs decisions can be appealed against by the trading community through the administrative process.				
The judicial process is further catered for by the LRA Tribunal.				
Lesotho needs capacities and assistance that include:				
<ul style="list-style-type: none"> Capacity building on implementing appeal procedures for stakeholders and robust marketing and publication 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 5.3	Test Procedures	C	31 December 2025	To be determined
Donors: International Atomic Energy Agency (IAEA), Food and Agriculture Organization (FAO)				
Progress in the provision of technical assistance and capacity building support:				
To date Assays for testing diseases such as Foot and Mouth and Peste des Petits Ruminants are successfully adopted through IAEA and FAO.				
Lesotho still needs TACB support from Donors to implement the following:				
<ul style="list-style-type: none"> Support to develop testing parameters and accreditation for veterinary laboratories ICT infrastructure and technology (networking, automation, high-speed internet) Procurement of testing equipment Testing kits and other relevant laboratory equipment/materials Support for accreditation of national laboratories Development of the national Quality, Standards, Accreditation and Certification Development of an electronic interface between the accredited laboratories Capacity Building of staff operating laboratories 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 7.1	Pre-arrival Processing	C	31 December 2023	To be determined
Donors: WBG				
Progress in the provision of technical assistance and capacity building support:				
Electronic submission of import documentation prior to the arrival of goods is allowed and operational through ASYCUDA system with support from other Border Agencies. Within the CBM and Single Window further improvements are to be done catering for further harmonisation of processes for all requisite Border Agencies, such a common risk management process.				
Lesotho would still need TACB support needs from Donors to address:				
<ul style="list-style-type: none"> Support to review draft legislation including harmonization with legal framework of all relevant institutions Stakeholder consultations through workshops and seminars 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 7.3	Separation of Release from Final Determination of Customs Duties, Taxes, Fees and Charges	C	31 December 2023	To be determined
Donors: To be determined				
Progress in the provision of technical assistance and capacity building support:				
Release of goods pending final determination of duties and taxes is in operation. Procedures have been developed and approved.				
Lesotho still needs support from Donors to address the below TACB needs include:				
<ul style="list-style-type: none"> • ASYCUDA System configuration to separate release from final determination of duties and taxes • Support for review and drafting of legislative amendments • Stakeholder consultations through workshops and seminars 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 7.4	Risk Management	C	31 December 2023	To be determined
Donors: WBG				
Progress in the provision of technical assistance and capacity building support:				
Procedures for risk management for customs control are in place. ASYCUDA selectivity criteria is used for the requisite assessment and compliance management thereof. CBM and NSW projects are to upgrade the existing infrastructure towards a common multi-agency risk management process for all border agencies. Work has not begun yet.				
TACB support is still required from Donors to address:				
<ul style="list-style-type: none"> • Develop multi-agency risk management framework • Support on the design and establishment of a risk management system • ICT Infrastructure and technology for an automated risk management system • Capacity building for sustainable operations of multi-agency risk management framework 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 7.5	Post Clearance Audit	C	31 December 2023	To be determined
Donors: To be determined				
Progress in the provision of technical assistance and capacity building support:				
Policies and procedures to manage customs risks through a post clearance audit process are operational, and the audit process has been automated within the customs system. The same principles were envisaged to be applied across all border agencies to ease border congestion and improve regulatory compliance across multiple border agencies. Implementation of NSW, would thus mean uptake of post clearance audit across all areas.				
TACB support needs that still need Donor support include:				
<ul style="list-style-type: none"> • Support to review draft legislation including harmonization with legal framework of all relevant institutions • Capacity building in post clearance audit in all relevant agencies 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 7.6	Establishment and publication of Average Release Times	C	31 December 2023	To be determined
Donors: WBG, United Nations Conference on Trade and Development (UNCTAD)				
Progress in the provision of technical assistance and capacity building support:				
ASYCUDA enables establishment of Release Times for in line with WCO Time Release Study methodology. The last Time Release Study+ was published in July 2018.				
More TACB support is still required from Donors to address:				
<ul style="list-style-type: none"> Capacity building on designing, planning and implementing Time Release Study for all relevant agencies Stakeholder engagement to disseminate the results of the study ICT to connect other Partner Agencies into the SW 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 7.7	Trade Facilitation Measures for Authorized Operators	C	31 December 2023	To be determined
Donors: Southern African Development Community Trade Related Facility, (SADC TRF) International Monetary Fund (IMF) Regional Technical Assistance Center for Southern Africa (AFRITAC)				
Progress in the provision of technical assistance and capacity building support:				
The Preferred Trader Accreditation programme is in place and provides procedures for application within established criteria for importers and exporters. The Preferred Trader Programme caters for three of the seven measures of this Article 7.7.				
Under the SADC TRF, the Preferred Trader programme is to be expanded to cater for recognition of the clearing agents and transporters which are critical supply chain players to ensure high compliance to all border regulations. There has been a critical delay to award consultancy services for work to start, because of the challenges posed by lockdowns due to the COVID-19 Pandemic. Further work is ongoing to institute a cargo security programme. Support provided for by IMF AFRITAC.				
Further TACB support needed from Donors include:				
<ul style="list-style-type: none"> Capacity building on design, implementation and review of authorized trader scheme for Clearing Agents and Transporters Stakeholder awareness campaigns 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 7.8	Expedited Shipments	C	31 December 2023	To be determined
Donors: World Customs Organization (WCO)				
Progress in the provision of technical assistance and capacity building support:				
Procedures are in place to provide for expedited release of all goods entered through all relevant border posts by air, rail and land for perishable goods, VIPs, essential products, for express cargo at the airport and for private shoppers. A simplified clearance process and forms is completed for private shoppers and re-engineering of airport processes is ongoing. Low value goods of up to ZAR 20,000 (non-commercial) are expedited across all border posts with minimal documentary requirements.				
Further TACB support needed from Donors include:				
<ul style="list-style-type: none"> Support on developing procedures/policies to ensure rapid release of expedited goods Support on requisite infrastructure 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 7.9	Perishable Goods	C	31 December 2023	To be determined
Donors: To be determined				
Progress in the provision of technical assistance and capacity building support:				
Procedures are in place to fast-track release of perishable goods within the shortest possible time, to avoid loss or deterioration. This measure is applied both within and outside business hours that include providing priority to such goods inspection. There are limitations however on proper storage of the goods should the need arise.				
Lesotho still needs TACB support from Donors to address:				
<ul style="list-style-type: none"> • Support to review draft legislation including harmonization with legal framework of all relevant institutions • Infrastructure support for storage facilities • Stakeholder consultations 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 8	Border Agency Cooperation	C	31 December 2023	To be determined
Donors: WBG				
Progress in the provision of technical assistance and capacity building support:				
Border Management Strategy in place and a pilot on CBM model in progress since November 2019. A full-fledged national CBM programme is to be implemented.				
Lesotho still needs TACB support from Donors to cover:				
<ul style="list-style-type: none"> • Support for improving on the current strategy/framework for border agency cooperation • Capacity building for staff on border agency cooperation • Support for development of legislation to facilitate border agency cooperation • Support for development of Monitoring and Evaluation programme 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 10.1	Formalities and Documentation Requirements	C	31 December 2023	To be determined
Donors: SADC TRF				
Progress in the provision of technical assistance and capacity building support:				
Improvement on import and export procedures relating to exports, private shoppers, electronic submissions of documents, electronic certificate done. Other support required to simplify and automate other manual processes as regards warehousing.				
Lesotho TACB support still needed include:				
<ul style="list-style-type: none"> • Support to develop a system for periodic review of formalities and documentation requirements • Capacity building for response agencies on conducting periodic reviews • Stakeholder consultations and engagement on formalities and documentation requirements • Support for implementation of electronic certification of origin 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 10.3	Use of International Standards	C	31 December 2025	To be determined
Donors: SADC TRF				
Progress in the provision of technical assistance and capacity building support				
<p>The Lesotho Standards Institution (LSI) was created in August 2020. LSI is at the verge of establishing formal cooperation arrangements with the South African Bureau of Standards. Other than normal verification exercises carried-out by Department of Standards and Quality Assurance Metrology section, a Calibration laboratory has been established which focuses on mass. Lesotho does not have a National Accreditation Body. All accreditation needs are handled by the National Accreditation Focal Points on behalf of the regional multi-economy accreditation body Southern African Development Community Accreditation Service. To date one laboratory has been accredited.</p> <p>Lesotho needs TACB support from Donors to address:</p> <ul style="list-style-type: none"> Capacity building for agencies on relevant international standards, testing procedures and international best practices Awareness campaigns on use of international standards 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 10.4	Single Window	C	31 December 2028	To be determined
Donors: WBG				
Progress in the provision of technical assistance and capacity building support:				
<p>The NSW project will assist on this aspect. The initial scope for connectivity is only three (3) Border Agencies, while the basic requirements is more than 5. The project will provide the capacity to measure release times over a broader multi-agency consideration.</p> <p>NSW implementation, through the WBG funding, is in progress, with services of a consultant yet to be procured to connect 3 Regulatory Agencies.</p> <p>Lesotho TACB support needed include:</p> <ul style="list-style-type: none"> Support to review draft legislation including harmonization with legal framework of all relevant institutions Stakeholder Development of a single window platform/software to allow linking of all government functions and connectivity issues Awareness campaign on National Electronic single window 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 10.7	Common Border Procedures and Uniform Documentation Requirements	C	31 December 2021	To be determined
Donors: WBG				
Progress in the provision of technical assistance and capacity building support:				
<p>Customs procedures and documentary requirements across all border posts within the customs automated system and operational. CBM processes to assists with processes for common capacity building of all staff across all the border Agencies.</p> <p>Lesotho still needs further TACB support that include:</p> <ul style="list-style-type: none"> Support to review draft legislation including harmonization with legal framework of all relevant institutions Support on development of a strategy for Common Border Procedures Capacity building for implementation 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 10.8	Rejected Goods	C	31 December 2023	To be determined
Donors: To be determined				
Progress in the provision of technical assistance and capacity building support:				
To be determined				
Lesotho TACB support needs include:				
<ul style="list-style-type: none"> • Support for development of Standard Operating Procedures for agencies • Capacity building on standards and related issues 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 10.9	Temporary Admission of Goods and Inward Processing	C	31 December 2021	To be determined
Donors: To be determined				
Progress in the provision of technical assistance and capacity building support:				
Customs procedures for management of temporary admission of goods allowing goods to be imported with conditional relief from payment of import duties and taxes in place. The relief is facilitated on payment of a guarantee covering duties & taxes due on the goods.				
Lesotho TACB support still needed include:				
<ul style="list-style-type: none"> • Establish a proper mechanism to implement inward and outward processing of goods for better control and record keeping • Requisite capacity building for implementation and awareness 				

Provision	Heading/Description	Category	Indicative date for implementation	Definitive date for implementation
Article 12	Customs Cooperation	C	31 December 2023	To be determined
Donors: Swedish International Development Cooperation Agency (SIDA), United Kingdom				
Progress in the provision of technical assistance and capacity building support:				
Regional Customs Connect for automatic exchange of information in place within the SACU region for automatic exchange of declarations. Data and information exchange on customs controls for requests management is in place for all stakeholders and partners. To support improvements on the exchange of information within SACU, a Mutual Recognition Arrangement is in development to complement Annex E of the SACU Agreement for broad compliance management and/or accreditation programmes in SACU and with 3 rd parties.				
Lesotho TACB support still needed to:				
<ul style="list-style-type: none"> • Support for development of legal framework for a robust exchange of information • Stakeholder consultations and engagements • Support to engage a partner on one-stop border posts • Support on requisite infrastructure 				