**Terms of Reference of the
BSEC Working Group on Customs Matters**

Pursuant to Article 4 and 12 of the BSEC Charter, the Working Group on Customs Matters is a BSEC Subsidiary Organ and shall carry out its activities in accordance with the following Terms of Reference (ToR):

 **PART I: SPECIFIC PROVISIONS**

**1. PURPOSES/GENERAL OBJECTIVES:**

The purposes/general objectives of the Working Group are:

a) to promote activities in the BSEC region in the field of customs cooperation taking into account the provisions of the  BSEC Charter, the BSEC Economic Agenda for the Future, the Resolutions, Decisions and Recommendations adopted by the BSEC Council of Ministers of Foreign Affairs and the priorities of the Member States;

b) to facilitate the establishment of a regional network for customs and enhancing capacity for policy reform among the BSEC Member States;

c) to seek ways and means of strengthening international relations capacities of the BSEC Member States, with a view to ensure the proper balance between the needs for trade facilitation on the one hand, and those of safety and security and fight against fraud on the other.

**2. MANDATE/TASKS:**

The mandate of the Working Group is:
a) to introduce common standards of simplified and efficient customs procedures which facilitate and secure the movement of goods and carriers through borders, in conformity with WCO SAFE Framework of Standards.
b) to promote the strengthening of cooperation and synchronization of the operations between different services responsible for border crossing control.
c) to strengthen customs capacity to combat smuggling and customs fraud.
d) to assist in combating terrorism through respective customs provisions, regulations and best practices.
e) to develop mechanisms enabling the elimination of unregistered trade in the region.
f) to further promote the exchange  of information among interested customs services within the region, as well as with other international bodies, in the framework of bilateral and multilateral cooperative instruments and other customs-related agreements.
g) to explore other bilateral and multilateral transit arrangements and to promote them in the BSEC region, where feasible, and insofar that they are compatible with international commitments and national legislation.
h) to elaborate regional cooperation strategy, while taking into account trends of globalization and development of collaboration among countries, governmental and non-governmental institutions.
i) to enhance cooperation with other relevant international organizations and fora.
j) to produce recommendations for specific aspects of cooperation in customs field.
k) to stimulate capacity building activities of the customs administrations of the BSEC Member States, taking into account their specific needs.

**3. SUBORDINATED BODIES AND RELEVANT EVENTS:**

3.1 The subordinated bodies are: (not applicable)

3.2 The final documents (reports, conclusions, recommendations, summary of the proceedings etc) of the other BSEC events (seminars, workshops, symposia, conferences) should be submitted for consideration and approval to the Working Group.

**4. RELATIONSHIP WITH OTHER WORKING GROUPS, RELATED BODIES AND INTERNATIONAL ORGANIZATIONS:**

Within the area of its activities the Working Group may also cooperate with other Working Groups, PABSEC, including its Committees, BSTDB, BSEC BC and ICBSS, and relevant international and regional organizations, institutions and initiatives such as United Nations Economic Commission for Europe (UNECE), European Commission, World Customs Organization (WCO) and World Trade Organization (WTO).

**PART II: GENERAL PROVISIONS**

**1. FUNCTIONS:**

The Working Group shall:
a) carry out the mandate defined by the Council in this ToR, as well as in the other resolutions, decisions and recommendations of the Council related to its activities;
b) draw up the cooperation projects and joint projects as well as pursue implementation of such projects/activities in the area of its competence;
c) decide on the priority areas for PDF funding in line with the two-year Plan of Action;
d) consider the  reports of the Ad Hoc Working Group, Group of Experts, Task Force and decide accordingly;
e) consider and approve the final documents (reports, conclusions, recommendations, summary of the proceedings etc) of the other BSEC events (seminars, workshops, symposia, conferences) or, whenever necessary, submit to the BSEC Committee of Senior Officials together with the relevant draft decision;
f) submit to the Council reports on the progress of its activities, as well as relevant recommendations.

**2. MODALITIES:**

2.1 Country-Coordinator:
a) The operative management of the Working Group activities is carried out by the Country-Coordinator with the assistance of BSEC PERMIS.

b) After the appointment of the new Country-Coordinator a meeting of incoming and outgoing Country-Coordinators and PERMIS should be held in order to ensure continuity.

c) At the end of their term in office the Country-Coordinator should prepare evaluation reports on the strengths, weaknesses and lessons learned in the activity of the Working Group over the period, accompanied by proposals for future action, including possible adjustments of priorities.

2.2 Chair of the Meetings:
The meetings of the Working Group shall be chaired by the host country. Upon the invitation of the Chairman-in-Office or the host country of a meeting of a Working Group, the Country-Coordinator may chair or co-chair meetings of the Working Group.

2.3 Rules of Procedure and Decision-making:
a) The decision-making mechanism is set forth in the BSEC Rules of Procedure.

b) The provisions of the Rules of Procedure shall be applicable to the Working Group unless otherwise specified.

2.4 Quorum:
Quorum for meetings of the Working Group shall be simple majority of the Member States taking part in the WG.

2.5 Number of Meetings:
The Working Group shall determine the periodicity and venue of its meetings on a voluntary basis.  The Country-Coordinator should be responsible for convening at least one meeting of the Working Group annually.

**3. AGENDA:**

The provisions of the BSEC Rules of Procedure on preparation of the draft Agenda shall be applied to the proceedings of the Working Group. The agenda of each meeting of the Working Group should include items on the implementation of the Resolutions, Decisions and Recommendations of the Council and the follow-up of the Declarations and Joint Statements adopted by the Ministers responsible for the present area of cooperation, as well as the customs aspects of the issues that are considered within the other BSEC Working Groups.

**4. REPORTS:**

The reports from the meetings should contain an evaluation of the state of affairs and proposals for measures to be undertaken.
The Meetings of the Working Groups preceding the Ministerial Meetings should submit a report on the implementation of the Resolutions, Decisions and Recommendations of the Council and the follow-up of the Declarations and Joint Statements adopted by the Ministers responsible for the particular area of cooperation, to be drafted by the Country-Coordinator on the basis of contributions from the BSEC Member States.

**5.  EXPENSES INCURRED FOR THE ORGANIZATION OF MEETINGS:**

Expenses incurred for the organization of meetings shall be born in accordance with art. 22 of the Rules of Procedure.

**6. PLAN OF ACTION AND FUNDING:**

6.1 The two-year draft Plan of Action submitted by the Country-Coordinator of the Working Groups in the present area of cooperation shall include specific provisions setting clear responsibilities and deadlines for its implementation. It is recommended to submit and consider the draft at the beginning of the Country-Coordinator’s mandate. The draft Plan of Action and amendments thereto are subject to approval by the Working Group.

6.2 Whenever appropriate, the Working Group may adopt a Work Program or another relevant document in order to ensure full implementation of the Plan of Action.

6.3 A long term Action Plan in the present area of cooperation could be drafted by the Working Group, may be endorsed by the respective Meeting of Ministers responsible for this area of cooperation and approved by the Council

6.4 The Country-Coordinators of the Working Groups shall provide the PERMIS with information on the priorities/obligations/activities arising from the action plans applicable for the Financial Year (FY) in January of the year preceding the FY. On this basis, the PERMIS shall compile this information and prepare initial proposals for each area of cooperation to be considered eligible to receive funding.

**7. FINAL PROVISIONS:**

7.1 Entry into force:
The present ToR shall come into force upon the approval by the BSEC Council.

7.2 Amendments:
The Working Group may recommend to the Council amendments to the present ToR.  The amendments shall enter into force upon the approval by the BSEC Council.