

**Revised Action Plan of the Tripartite
(Japan, the People's Republic of China, and the Republic of Korea)
Customs Cooperation**

The Customs and Tariff Bureau of Ministry of Finance, Japan, the General Administration of Customs of the People's Republic of China, and the Korea Customs Service of the Republic of Korea (hereinafter referred to as 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 "Trilateral Cooperation VISION 2020" which was released at the Third Japan-China-ROK Trilateral Summit in the Republic of Korea, on 30 May 2010;

Having regard to the declaration of the Japan-China-ROK Trilateral Summit Meeting on 22 May 2011 which mentioned the further enhancement of customs cooperation, especially for trade facilitation and the improvement of customs procedures under the framework of Tripartite Customs Heads' Meeting;

Pursuant to the Action Plan of the Tripartite Customs Cooperation which was adopted at the third Tripartite Customs Heads' Meeting held in Beijing, the People's Republic of China, on 28 September 2009;

Have adopted the following Action Plan:

I. Institutionalization

A. Tripartite Customs Heads' Meeting

The Three Customs will hold the Tripartite Customs Heads' Meeting (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. And 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 host 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 the 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 resolutions decided upon 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 host 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) 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 Three Customs will provide information about goods infringing IPR in accordance with the IPR Action Plan.

The Three Customs will conduct joint operations which accelerate the information exchange among specific customs offices of the Three Customs twice a year before the 6th

IPR Working Group.

The IPR Working Group will assess the result of joint operations.

The Three Customs will further study the revision of the IPR Action Plan to strengthen their measures against IPR infringement and make their cooperation more effective, based on such assessment. The IPR Working Group should report the study result and further possible actions to the 5th TCHM.

The Three Customs will cooperate to hold a regional seminar for IPR protection in cooperation with the World Customs Organization.

The Three Customs may jointly hold seminars with right holders, and provide training for or receive training from the right holders.

III. Customs Enforcement and Intelligence

The Three Customs will promote the 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 Three Customs will discuss the effective cooperation framework for promoting countermeasures against commercial fraud including the exchanging of price range. The CEI Working Group should report the result of consideration regarding the cooperation framework to the 5th TCHM.

The Three Customs will consider possible measures including “information exchange manual” in order to further expedite the information exchange among the Three Customs. The CEI Working Group should report the result of the above consideration of the manual to the 5th TCHM.

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 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 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 start its work by conducting an assessment of each other’s AEO program on a bilateral basis following the three steps of “program comparison, exchanges 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.

V. Customs Procedures and Trade Facilitation

The Three Customs will hold the Customs Procedure 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 that WTO's trade facilitation negotiation, which is mainly focused on the customs affairs, and considering customs could play a bigger role in trade facilitation area, will constantly strengthen mutual trust and cooperation, jointly boost trade facilitation, and play a positive role as 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 WCO to encourage non-Contracting parties to accede to the Revised Kyoto Convention, which is a fundamental tool of trade facilitation.

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, Asia-Pacific Economic Cooperation (APEC), and Asia-Europe Meeting (ASEM) .

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

Done in Tokyo, Japan, on 11 November 2011, in triplicate in the English language.

For the Customs and Tariff Bureau of Ministry of Finance
Japan

For the General Administration of Customs
The People's Republic of China

For the Korea Customs Service
The Republic of Korea