

**BOSNA I HERCEGOVINA  
MINISTARSTVO VANJSKE TRGOVINE I  
EKONOMSKIH ODNOSA**



**БОСНА И ХЕРЦЕГОВИНА  
МИНИСТАРСТВО СПОЉНЕ ТРГОВИНЕ И  
ЕКОНОМСКИХ ОДНОСА**

**BOSNIA AND HERZEGOVINA  
MINISTRY OF FOREIGN TRADE AND  
ECONOMIC RELATIONS**

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## **BiH PROPOSAL**

### **CEFTA**

# **Work Programme of the Subcommittee on Customs and Rules of Origin**

**JANUARY - DECEMBER 2012**

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## 1. INTRODUCTION

### 1.1 Background

CEFTA 2006 sets for its Parties two different objectives in the field of customs. The first objective as mentioned in the first three paragraphs of Article 14 is to ensure effective and harmonised application of the origin protocols of the Agreement. In this regard, the CEFTA diagonal cumulation stipulated by Article 3 of Annex 4 of the Agreement has become fully applicable throughout the CEFTA Region as of 22 November 2007.

A significant level of progress has also been recorded in the application of SAP+ cumulation as stipulated by Article 4 of the above mentioned annex. Lately, the application of diagonal cumulation between Croatia and the EU, and between Turkey and Albania started on 01 June and 01 August 2011, respectively. Furthermore, four CEFTA Parties, namely Albania, Croatia, Macedonia, and Serbia, which concluded free trade agreements with the EFTA States, have recently started to apply diagonal cumulation with the latter on 01 January 2012.

Furthermore, all relevant CEFTA Parties have been actively involved in the revision of PEM Convention origin protocol and its list rules. The Parties had a meeting in Tirana under Albania's chairmanship during which CEFTA origin experts have been gathered to discuss and exchange of their views regarding the position of the Region to be presented in the PEM process.

As the second objective, the Agreement equally signifies the importance of simplifying customs procedures and reducing the formalities imposed on trade with a view to facilitating trade.

The multiannual work programme prepared by Albania last year had therefore an emphasis on that second objective, and identified a couple of priority areas accordingly.

### 1.2 Mandate and scope of the Subcommittee

#### 1.2.1 Mandate of the CEFTA Subcommittee on Customs and Rules of Origin as determined by the Decision of the Joint Committee

The following areas have been determined as the main mandate of the CEFTA Subcommittee on Customs and Rules of Origin which was established by the Joint Committee Decision No. 4/2007

- Exchange and discuss information on a regular basis on measures to simplify and facilitate customs procedures in the region.
- Facilitate for customs authorities to cooperate in setting up integrated border management systems, single windows and data harmonisation in the region;
- Exchange information on measures to maintain the integrity and the efficiency of the respective customs services;
- Cooperate with on-going and future international programmes to ensure their full benefit
- Ensure harmonised implementation of common rules of origin with a view to inter alia enabling diagonal cumulation of origin
- Exchange information on a regular basis on the implementation of rules of origin;
- Monitor and discuss how the Parties implement provisions regarding rules of origin and

- administrative co-operation;
- Discuss measures to control and ensure the validity of certificates of origin;
- Further dialogue with appropriate business organisations so traders are informed of procedures involved in obtaining certificates of origin;

The same decision stipulates that the senior civil servants responsible for customs issues from the CEFTA Parties hold one meeting per year, but can meet on an ad hoc basis if needed.

#### 1.2.2 Activities determined in the Report of the Chair of the Subcommittee on Customs and Rules of Origin during the chairmanship of Albania

Bosnia and Herzegovina, as the chair of the Subcommittee on Customs and Rules of origin for 2012, will follow the respective activities from the Multiannual Program of the Subcommittee which determines the key priorities for the next three years, and which are as follows:

- 1) Coordination with the Subcommittee on NTB and TBT.
- 2) Development of the regional access in the field of electronic data exchange among CEFTA Parties in order to fulfil the current projects aiming to facilitate intraregional trade while taking into account the requirements of the EU acquis.
- 3) Establishment of transparent, efficient and effective procedures in order to ensure sustainable and reliable exchange of information between customs administrations and the regional trade community in order to simplify customs rules aiming to facilitate trade.

#### 1.2.3 Activities mentioned in the Ministerial conclusions of the fifth meeting of the Joint Committee

Following the Ministerial conclusions of the fifth meeting of the Joint Committee that relate to the recommendations to the chairs of relevant Subcommittees, BiH recommends that the Subcommittees take into consideration the OECD recommendations on the current situation when preparing the Work Programme for 2012. Special attention needs to be paid to the detailed assessment in the field of sanitary and phytosanitary measures and administrative barriers, as well as to the future NTB analysis at the level of final products.

#### 1.2.4 Ratification of the PAN-EURO-MEDITERRANEAN CONVENTION

BiH encourages all CEFTA Parties to ratify the PAN-EURO-MEDITERRANEAN Convention as soon as possible as to enable starting the process of amending the CEFTA Protocol on rules of origin.

### **1.3 Coordination with other CEFTA Structures**

The chairmanship of the Subcommittee is taken over on a rotational basis for one calendar year. In line with these rules, Bosnia and Herzegovina has assumed the Chairmanship of the Subcommittee since 1 January 2012.

According to its mandate, the Subcommittee communicates regularly with two other Subcommittees established under CEFTA: on Agriculture and SPS and on TBT and NTBs in order to avoid duplication of efforts in many intersecting areas of activities.

Bosnia and Herzegovina as the Chair of Subcommittee of 2012 is all the more committed to

enhance the coordination between the Subcommittee and other CEFTA Subcommittees, and make its best efforts to substantiate the contribution of CEFTA customs authorities to the work of other CEFTA Subcommittees.

## **2. OBJECTIVES OF THE CHAIRMANSHIP**

The objective of Bosnia and Herzegovina's chairmanship programme is to promote simplification of the customs procedures with a view to facilitating trade without undermining the importance of smooth functioning of diagonal cumulation between the CEFTA Parties.

Having taken into account the multiannual priorities determined last year, Bosnia and Herzegovina considers that taking the following actions that can be classified under 4 different components would serve the overall objective above.

## **3. ACTIVITIES PLANNED UNDER THE CHAIRMANSHIP**

### **3.1 Trade Facilitation**

Bosnia and Herzegovina considers information exchange between the authorities involved in trade as one of the main tools for facilitating trade in the Region. Bosnia and Herzegovina therefore believes that CEFTA's intervention in that area can be a catalyst not only for some ongoing actions but would also create an overarching framework for trade facilitation in the Region. Consequently, the Subcommittee on Customs and Rules of Origin is planning to carry out the following activities in 2012:

#### *3.1.1 Information exchange between customs authorities*

The 2011 Ministerial Conclusions have encouraged all CEFTA Parties to exchange data between their customs authorities, and utilize the usage of data to be exchanged for the purpose of facilitating legitimate trade without hampering security and safety controls at the border. Having regard to those conclusions, the Subcommittee supports all initiatives to facilitate exchange of information between customs authorities.

##### **- Interaction with SEED Project**

Acknowledging Albania's initiative to establish an interaction between the CEFTA structures and the SEED project, the Subcommittee will invite the SEED Project Team to its meeting to present to the Subcommittee members the current state of play of the Project. Upon the presentation of the SEED project, and the Subcommittee will discuss the issues on which the CEFTA's intervention is deemed appropriate, if there is any.

##### **- CEFTA Customs Risk Analysis Experts Network Meeting**

Furthermore, the Subcommittee considers valuable to mobilise a higher involvement of the Risk Analysis Departments of CEFTA Customs Authorities regarding the information exchange related initiatives in order to utilize data exchange for facilitating trade to the maximum extent. As the Chair of the Subcommittee on Customs and Rules of Origin, Bosnia and Herzegovina will organise a CEFTA Customs Risk Analysis Experts Network meeting.

The objectives of that meeting will be;

- to share each Party's experience
- to discuss the possibilities how to benefit more for data exchange to do effective and efficient risk analysis
- to explore the possibilities to formulate joint risk profiling to facilitate the regional trade

Taking into account the last year's practice followed in the CEFTA Origin Network meeting, experts from the relevant international organisations and countries whose expertise deemed valuable need to be invited again to the open part of the Risk Network meeting.

### 3.1.2 Information exchange between customs authorities and other government agencies

The difficulties in information exchange between customs authorities and other government agencies, particularly the ones having roles at the borders in the pre-clearance stages, is one of the factors that may potentially distort trade facilitation.

- Workshop for the preparation of Business Process Maps

The Subcommittee considers that the preparation of business process maps, according to international data modelling standards, should be encouraged through organising a regional workshop at which each Party's BPMs can be presented. In this exercise, BPMs for the data exchange between customs and veterinary and SPS services can be given priority since 28% of 89 complaints recorded in the CEFTA Market Access Barriers Database are related to SPS Measures.

Through this exercise, the Parties will have a better understanding about BPMs and data modelling. The Parties are also expected to have a clear picture what type of data that are being collected from operators by different authorities might be duplicative and thus; can be discarded. Furthermore, the Parties will also have the opportunity to explore what kind of non-customs data might possibly be exchanged bilaterally in the Region in the future.

Bosnia and Herzegovina assumes the IFC Trade Logistics Project would be the facilitator of this workshop and the preparations of each Party in this regard.

### 3.1.3 Information exchange between customs authorities and private sector

The last layer of information exchange which the Subcommittee on Customs and Rules of Origin will make efforts to promote is between customs and private sector.

- Workshop on Regional AEO Programme

In this regard, the Parties would be encouraged to explore the possibilities to create a CEFTA Authorised Economic Operator programme in which the operators that would meet pre-defined standards might benefit from simplified customs procedures. The mutual recognition of that status throughout the Region would also be another objective of these exploratory discussions.

In that framework, the Chair of Subcommittee will organise a workshop to discuss the ways and possibilities to initiate a CEFTA AEO Programme.

### **3.2 Origin (Reviewing implementation of CEFTA Origin Protocol)**

Since November 2007 the diagonal cumulation between the CEFTA Parties has been applicable. The Chair considers that each CEFTA Party has accumulated sufficient level of experience regarding its implementation and thus can develop ideas how to implement it better.

- 2nd CEFTA Origin Network Meeting

Thus, the Chair considers organising the second CEFTA Origin network meeting wherein CEFTA Origin experts can discuss thoroughly the implementation track record of the CEFTA diagonal cumulation with a view to preparing a synthesis report in which their suggestions would be compiled. That report will be submitted to the Subcommittee meeting.

Related to this, the Chair considers the possibility of having a detailed presentation of the EU Regulation 1063/2010 (Commission Regulation (EU) No. 1063/2010 of 18 November 2010 amending Regulation (EEC) No 2454/93) made by the EC experts, especially on the part related to rules of origin.

In addition, the Origin network meeting will be used to discuss the following issues.

#### *3.2.1 Explanatory notes of CEFTA Origin Protocol*

Revising the existing explanatory notes of CEFTA Origin Protocol was discussed by the Subcommittee in the previous years. The CEFTA Parties have been emphasized the need to revise the existing explanatory notes or add new ones for the sake of clarity and smooth implementation of CEFTA Origin Protocol. The CEFTA Origin Network meeting will be used to discuss in detail how the explanatory notes to be revised and draft them by the CEFTA origin experts, if possible.

#### *3.2.2 Following up on the developments of Pan-Euro-Mediterranean Process*

The 2011 CEFTA Ministerial conclusions encourage the Parties to ratify the PEM Convention, and after that to start with the process of amending the CEFTA origin protocol. Depending on the progress to be recorded in the PEM working group meetings facilitated by the EC, the CEFTA Origin Network might also consider including the PEM related issues into its agenda.

### **3.3 Training (Initiating the preparation of regional training programmes for the CEFTA customs authorities)**

Bosnia and Herzegovina considers necessary to assess the pros and cons of initiating a regional training programme for the CEFTA Customs Authorities, particularly on the areas where the Parties deem helpful to have a joint training programmes. The Chair thinks that a careful planning and designing is a must for a training programme which would particularly respond to the existing needs of CEFTA Customs Authorities, and be sustainable by structure to meet training needs of the Parties in the future, if necessary.

- Training Need Analysis

Therefore, an inclusive approach will be followed in the appraisal stage of designing that training programme, where the contribution of each CEFTA Party will be collected to determine the areas

on which its existing training needs can be met by a regional training programme.

In this endeavour, establishing a high level of cooperation at the working level with the Regional School of Public Administration in Montenegro is seen as of critical importance.

### **3.4 Administrative cooperation (Promoting the level of strategic administrative cooperation between the CEFTA customs authorities)**

Bosnia and Herzegovina believes that the Subcommittee on Customs and Rules of Origin is the platform on which each CEFTA Customs Authority should be represented at the highest level. The Subcommittee meeting should also be the one in which CEFTA Parties do not only exchange of information on technical issues but also review the activities of the Subcommittee throughout the year and decide the strategic issues which should be submitted to the Joint Committee.

- Strategic administrative cooperation meeting of CEFTA Customs DGs

In this regard, the Chair will organise a meeting to which Directors General (DGs) of each CEFTA Customs will be invited before the Subcommittee meeting to discuss the strategic priorities in the field of customs for the CEFTA Region with an aim to increase overall administrative cooperation between the CEFTA Customs Authorities.

The strategic administrative cooperation meeting of DGs will be a back to back event of the Subcommittee meeting. After attending the strategic administrative cooperation meeting, CEFTA Customs DGs are expected to attend the Subcommittee meeting during which they can review the outcomes of activities carried out so far and decide the ones to be submitted to the Joint Committee.

## **4. TECHNICAL ASSISTANCE AND RELATED REGIONAL PROJECTS**

### **4.1 Identification of common areas that require technical assistance**

In this field, the Chair informs about the means identified under each activity mentioned above and elaborates how the realisation of each activity is contemplated from financial and technical assistance perspectives.

#### **4.1.1 Trade Facilitation**

Activity 1 – Interaction with SEED Project Team

The representatives of the SEED Project Team will be invited to do a presentation on the current state of play regarding the implementation of SEED Project and inform the Subcommittee about the issues which the CEFTA Parties political support would be beneficial.

Activity 2 - CEFTA Customs Risk Analysis Experts Network Meeting

There will be a network meeting of the CEFTA Customs Risk Analysis experts. The outcomes of that meeting will be reported to the Subcommittee meeting. The meeting will be held in Bosnia and



Herzegovina. The representatives of international organisations and some other countries' customs risk experts might be invited to the open session of the meeting to share their experiences and knowledge. The outcomes of the meeting would be reported to the Subcommittee.

#### Activity 3- Workshop for the preparation of Business Process Maps

There will be a workshop for the preparation of Business Process Maps. The facilitator of the workshop would be the IFC/World Bank Trade Logistics Project. Besides CEFTA Customs, CEFTA SPS Authorities will also be invited. The representatives of international organisations and some other countries' customs data modelling experts might also be invited to the open session of the meeting to share with the Parties their experiences and knowledge. The meeting will be held in Bosnia and Herzegovina. The outcomes of the meeting would be submitted to the Subcommittee.

#### Activity 4 – Workshop on Regional AEO Programme

There will be a workshop to discuss the possibilities of creating a regional AEO programme in the CEFTA. The workshop will be organized with the technical assistance of the relevant international organisations whose expertise is deemed valuable in this area. The workshop will be held in Bosnia and Herzegovina by the end of 2012. The organization of the workshop might financially be supported by the CEFTA Project Facility, provided that the allocation of funds from the Facility would be available by then.

##### 4.1.2 Origin

#### Activity 5 – 2nd Meeting of CEFTA Origin Network

The second meeting of the CEFTA Origin Network will be held to discuss the origin related issues. The meeting will be held in Bosnia and Herzegovina. The representatives of the relevant international organisations and some other countries' origin experts whose expertise are considered valuable might be invited to the open session of the meeting to share with the Parties their experiences and knowledge. The outcomes of the meeting would be reported to the Subcommittee.

##### 4.1.3 Training

#### Activity 6 – Training Need Analysis

The Chair will make its best efforts to compile and analyze the training needs of CEFTA Customs Authorities where can best be met by a regional training programme. The plan is to initiate a sustainable regional training programme for customs authorities in the coming years. The activities in the framework of the need analysis will be carried out through the first half of 2012 and its outcomes will be reported to the Subcommittee meeting.

##### 4.1.4 Administrative cooperation

#### Activity 7: Strategic administrative cooperation meeting of CEFTA Customs DGs

There will be a meeting of CEFTA Customs DGs to discuss the strategic administrative cooperation in order to exchange of their ideas how to further the cooperation between themselves in the

framework of CEFTA. That meeting will be held before the CEFTA Subcommittee where the DGs will review the activities done until then. The meeting will be held in Bosnia and Herzegovina. The meeting will be organised before the Subcommittee meeting.

## **5. EXPECTED RESULTS**

The results of our Chairmanship are expected to lead to the following outcomes corresponding to four components mentioned above:

### 1) Trade Facilitation:

- The data exchanged electronically will particularly be used for trade facilitation without decreasing the deterrence of customs inspections but making them more effective
- Each CEFTA Customs Authority and SPS Authority will have a better understanding of their business process and the number of data they are requesting from operators.
- CEFTA Parties will be able to evaluate the pros and cons to establish a Regional AEO Programme

### 2) Origin

- Further clarification for the smooth implementation of the CEFTA Origin Protocol will be ensured. The number of complaints of the CEFTA Parties regarding the implementation of CEFTA Origin Protocol will be decreased.
- CEFTA Parties involved in the PEM Process continue to coordinate their positions with each other.

### 3) Training

- The CEFTA Parties will be aware of the feasibility to initiate a regional training programme for their customs authorities.

### 4) Administrative cooperation

- The involvement of Customs DGs will be ensured to increase the level of cooperation of between CEFTA Customs Authorities is ensured.
- The CEFTA Parties will have a better understanding on which areas the cooperation between the customs authorities can be improved.

## **6. RISKS AND ASSUMPTIONS**

The Chair in Office foresees that the following issues are out of its control but assumes that any negative development thereon which may endanger the smooth functioning of the Agreement will be prevented by the joint effort of each CEFTA Party.

- Each CEFTA Party remains committed to the CEFTA process and its provisions.
- Customs Authorities and other governmental agencies whose contribution is necessary to the work of the Subcommittee will have the sufficient level of resources (human resources and time) available for the Subcommittee.
- International donors remain committed to support financially the CEFTA.

## 7. CALENDAR OF EVENTS

Having taken into account the positive experience of last year that the Subcommittee of TBT and NTBs had two meetings in a year and given the heavy work programme of the Subcommittee on Customs and Rules of Origin, the Chair considers organising two meetings of the Subcommittee in 2012. The tentative calendar for the year 2012 is as follows:

MEETING/EVENT	DATE
CEFTA Customs Risk Analysis Experts Network Meeting	20 April 2012
CEFTA Workshop for the Preparation of Business Process Maps	15 May 2012
CEFTA Origin Network Meeting	16 May 2012
CEFTA Subcommittee on Customs and Rules of Origin (1 <sup>st</sup> meeting)	17 May 2012
Training needs analysis	June 2012
CEFTA Strategic Administrative Cooperation Meeting	25 September 2012
CEFTA Subcommittee on Customs and Rules of Origin (2 <sup>nd</sup> meeting)	26-27 September 2012
CEFTA Workshop on Regional AEO	28 September 2012

## Annexe 1: Logical Framework Matrix

LOG FRAME PLANNING MATRIX FOR CEFTA CIO PRIORITIES		Period: January – December 2012	
<b>Overall objective</b>	<b>Indicators of Achievement</b>	<b>Sources of verification</b>	
To promote simplification of the customs procedures with a view to facilitating trade without undermining the importance of smooth functioning of diagonal cumulation between the CEFTA Parties.	- The multiannual priorities updated and detailed according to the needs of CEFTA Parties in the field of customs	- The report of Subcommittee on Customs and RoO	
<b>Priorities</b>	<b>Indicators of Achievement</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
1)Facilitating trade through simplification of customs procedure 2)Reviewing implementation of CEFTA Origin Protocol 3)Initiating the preparation of regional training programmes for the CEFTA customs authorities 4) Promoting the level of strategic administrative cooperation between the CEFTA customs authorities	- The number of complaints recorded in the CEFTA MADbase regarding the implementation of customs rules and diagonal cumulation decreased - The Parties will have better understanding regarding the areas where a regional training programme can be initiated. - The involvement of DGs of CEFTA Customs Authorities to the Subcommittee is ensured.	- The report of Subcommittee on Customs and RoO	1) Each CEFTA Party remains committed to the CEFTA process and its provisions. 2) Customs Authorities and other governmental agencies whose contribution is necessary to the work of the Subcommittee will have the sufficient level of resources (human resources and time) available for the Subcommittee. 3) International donors remain committed to support financially the CEFTA.
<b>Activities</b>	<b>Results</b>	<b>Means</b>	<b>Assumptions</b>
<b>Trade Facilitation:</b> Activity 1 – Interaction with SEED Project Team Activity 2 - CEFTA Customs Risk Analysis Experts Network Meeting Activity 3- Workshop for the preparation of Business Process Maps Activity 4 – Workshop on Regional AEO Programme  <b>Origin:</b> Activity 5 – 2nd Meeting of CEFTA Origin Network  <b>Training:</b> Activity 6 – Training Need Analysis  <b>Administrative cooperation:</b> Activity 7: Strategic administrative cooperation meeting of CEFTA Customs DGs	<b>Trade Facilitation:</b> 1) The data exchanged electronically will particularly be used for trade facilitation without decreasing the deterrence of customs inspections but making them more effective 2) Each CEFTA Customs Authority and SPS Authority will have a better understanding of their business process and the number of data they are requesting from operators. 3) CEFTA Parties will be able to evaluate the pros and cons to establish a Regional AEO Programme  <b>Origin</b> 1) Further clarification for the smooth implementation of the CEFTA Origin Protocol will be ensured. The number of complaints of the CEFTA Parties regarding the implementation of CEFTA Origin Protocol will be decreased. 2) CEFTA Parties involved in the PEM Process continue to coordinate their positions with each other.  <b>Training</b> 1) The CEFTA Parties will be aware of the feasibility to initiate a regional training programme for their customs authorities.  <b>Administrative cooperation</b> 1) The involvement of Customs DGs will be ensured to increase the level of cooperation of between CEFTA Customs Authorities is ensured. 2) The CEFTA Parties will have a better understanding on which areas the cooperation between the customs authorities can be improved.	- Customs experts of CEFTA Parties  - Experts of the relevant authorities of CEFTA Parties  - Experts of the relevant international organisations  - CEFTA Project Facility	1) Each CEFTA Party remains committed to the CEFTA process and its provisions. 2) Customs Authorities and other governmental agencies whose contribution is necessary to the work of the Subcommittee will have the sufficient level of resources (human resources and time) available for the Subcommittee. 3) International donors remain committed to support financially the CEFTA.

