**Int. j. adv. multidisc. res. stud.** 2024; 4(5):556-565

**Received:** 13-08-2024
**Accepted:** 23-09-2024

International Journal of Advanced Multidisciplinary Research and Studies

**ISSN: 2583-049X**

# Status of Implementation of the World Trade Organization's Trade Facilitation Agreement in Vietnam

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**Abstract**
Vietnam's implementation of the World Trade Organization's Trade Facilitation Agreement since its ratification in 2015 reflects a strong commitment to enhancing its trade environment. The country has made significant progress, particularly in fulfilling Category A commitments such as improving transparency in trade information and implementing advance rulings. Advancements in Category B commitments, including risk management system development and groundwork for the National Single Window, demonstrate Vietnam's steady efforts. However, challenges persist, especially in Category C commitments requiring external support. These include institutional coordination issues, regulatory complexities, infrastructure limitations, and capacity building needs. Despite these obstacles, Vietnam has implemented broader trade facilitation reforms, including customs modernization and e-customs adoption, significantly improving its overall trade processes. The country's strategic approach, balancing immediate implementations with long-term planning for more complex measures, positions Vietnam as a noteworthy case study in TFA implementation among developing nations. While challenges remain, particularly in uniformly applying measures across all entry points and completing more complex commitments, Vietnam's progress thus far provides a strong foundation for further improvements in trade facilitation.

**Keywords:** TFA, WTO, Vietnam

## 1. Introduction

The World Trade Organization (WTO) Trade Facilitation Agreement (TFA) represents a significant milestone in global trade relations, aiming to streamline and simplify international trade procedures. Adopted at the 2013 Bali Ministerial Conference and entering into force on February 22, 2017, the TFA is the first multilateral trade agreement concluded since the establishment of the WTO in 1995 (WTO, 2017). This agreement focuses on expediting the movement, release, and clearance of goods across borders, setting out measures for effective cooperation between customs and other appropriate authorities on trade facilitation and customs compliance issues. The TFA is expected to reduce trade costs by an average of 14.3% and boost global trade by up to $1 trillion per year, with the biggest gains in the poorest countries (World Bank, 2018; Hung, 2023) [12, 4].

Vietnam's involvement in international trade has been transformative for its economy since the implementation of the Đổi Mới (Renovation) economic reforms in 1986. These reforms marked Vietnam's transition from a centrally planned economy to a socialist-oriented market economy, opening the country to foreign investment and international trade (Tran, 2019) [10]. Vietnam's integration into the global economy accelerated with its accession to the Association of Southeast Asian Nations (ASEAN) in 1995 and culminated in its WTO membership in 2007. Since then, Vietnam has experienced rapid economic growth, with its GDP expanding at an average annual rate of 6.4% between 2000 and 2019 (World Bank, 2021) [14]. The country has become a major exporter of agricultural products, textiles, electronics, and is increasingly integrated into global value chains.

This paper examines the current status of Vietnam's implementation of the WTO Trade Facilitation Agreement, analyzing progress, challenges, and future prospects. It will explore the measures Vietnam has taken to fulfill its commitments under the TFA, assess the impact of these reforms on trade facilitation, and identify the obstacles that remain. By investigating Vietnam's experience with the TFA, this study aims to contribute to the broader understanding of the agreement's effectiveness in developing countries and its potential to foster economic growth through improved trade processes.

## 2. Overview of the WTO Trade Facilitation Agreement

The World Trade Organization's Trade Facilitation Agreement represents a significant step towards streamlining global trade procedures and reducing trade costs. This section provides an overview of the TFA's key objectives, provisions, expected benefits for developing countries, and its implementation timeline and requirements.

### *2.1 Key objectives and provisions*

The primary objective of the TFA is to expedite the movement, release, and clearance of goods across borders. It aims to achieve this by simplifying and harmonizing international trade procedures, enhancing transparency, and promoting cooperation between customs authorities and other relevant agencies (WTO, 2017). The agreement contains provisions for expediting the movement, release and clearance of goods, including goods in transit. It also sets out measures for effective cooperation between customs and other appropriate authorities on trade facilitation and customs compliance issues.

Key provisions of the TFA include:

**Publication and availability of information:** Members are required to publish information related to import, export, and transit procedures, as well as applicable forms and documents, in a readily accessible manner.

**Opportunity to comment and consultations:** Members must provide traders and other interested parties with opportunities to comment on proposed new or amended laws and regulations related to the movement of goods.

**Advance rulings:** Customs authorities must issue advance rulings on the tariff classification and origin of goods upon request.

**Appeal or review procedures:** Traders must have access to an administrative or judicial review of customs decisions.

**Release and clearance of goods:** Members are required to adopt procedures to expedite the release of goods, including pre-arrival processing and electronic payment.

**Border agency cooperation:** The agreement promotes cooperation between border agencies, both domestically and with those of other members.

**Formalities connected with import, export, and transit:** Members are encouraged to review and simplify their import, export, and transit formalities and documentation requirements (Neufeld, 2014) [6].

### *2.2 Expected benefits for developing countries*

The TFA is expected to bring significant benefits to developing countries, which often face disproportionately high trade costs. According to OECD estimates, the full implementation of the TFA could reduce trade costs by 16.5% for low-income countries, 17.4% for lower-middle-income countries, and 14.6% for upper-middle-income countries (OECD, 2018) [8].

Specific benefits for developing countries include:

**Increased trade volumes:** By reducing trade costs and time delays, the TFA is expected to boost trade volumes, particularly for time-sensitive goods.

**Enhanced participation in global value chains:** Simplified procedures can help developing countries better integrate into global supply chains.

**Increased foreign direct investment:** Improved trade facilitation can make countries more attractive to foreign investors.

**Improved revenue collection:** Streamlined procedures can lead to more efficient revenue collection and reduced opportunities for corruption.

**SME development:** Simplified procedures can particularly benefit small and medium-sized enterprises, which often struggle with complex trade regulations (World Bank, 2020) [13].

### *2.3 Implementation timeline and requirements*

The TFA entered into force on February 22, 2017, after two-thirds of WTO members completed their domestic ratification process. The agreement allows developing and least-developed countries to determine their own implementation schedules and to identify provisions they will need assistance and support to implement (WTO, 2017).

The implementation approach is based on three categories:

**Category A:** Provisions that the member will implement by the time the Agreement enters into force (or within one year after entry into force for least-developed countries).

**Category B:** Provisions that the member will implement after a transitional period following the entry into force of the Agreement.

**Category C:** Provisions that the member will implement on a date after a transitional period following the entry into force of the Agreement and requiring the acquisition of assistance and support for capacity building.

This flexible approach allows developing countries to tailor their implementation timelines to their specific needs and capacities, while also providing a framework for developed countries to offer technical assistance and capacity-building support (Hoekman, 2016) [3].

## 3. Vietnam's Trade Profile and WTO Membership

### *3.1 Brief history of Vietnam's economic reforms and trade liberalization*

Vietnam's journey towards economic reform and trade liberalization is a remarkable tale of transformation that began in 1986 with the introduction of the "Đổi Mới" (Renovation) policy. This pivotal shift marked the country's transition from a rigid, centrally planned economy to a more flexible, socialist-oriented market economy. The Đổi Mới reforms were born out of necessity, as Vietnam faced severe economic challenges in the mid-1980s, including hyperinflation, food shortages, and a lack of foreign investment (Tran, 2019) [10].

The initial phase of reforms focused heavily on agricultural liberalization. The government disbanded collective farms and redistributed land to individual households. Farmers were allowed to sell their surplus produce in the open market, which led to a dramatic increase in agricultural productivity. Rice production, for instance, doubled between 1986 and 1995, transforming Vietnam from a net importer of rice to one of the world's leading rice exporters (Giesecke & Tran, 2012) [2].

Following the success in agriculture, reforms were extended to the industrial sector. This included the restructuring of state-owned enterprises (SOEs) and the promotion of foreign direct investment (FDI). In 1987, Vietnam passed its first Law on Foreign Investment, which was considered one of the most liberal in the region at the time. This law allowed for 100% foreign-owned companies and provided

tax incentives for foreign investors (Nguyen & Nguyen, 2017) [7].

The 1990s saw an acceleration of Vietnam's integration into the global economy. Key milestones included:

**1995:** Vietnam joined the Association of Southeast Asian Nations (ASEAN), signaling its commitment to regional integration.

**1998:** Vietnam became a member of the Asia-Pacific Economic Cooperation (APEC) forum.

**2000:** The U.S.-Vietnam Bilateral Trade Agreement was signed, normalizing trade relations between the two former adversaries and paving the way for increased U.S. investment in Vietnam.

These steps were crucial in preparing Vietnam for its eventual accession to the World Trade Organization. Throughout this period, Vietnam gradually reduced its trade barriers, reformed its legal system to be more business-friendly, and improved its investment climate (Thoburn, 2013) [9].

### *3.2 Vietnam's accession to the WTO*

Vietnam's accession to the World Trade Organization on January 11, 2007, was a watershed moment in its economic reform process. The journey towards WTO membership was long and arduous, beginning in 1995 when Vietnam first applied for membership. The accession process involved 14 working party meetings, hundreds of questions from WTO members, and extensive negotiations on market access for goods and services (Vu, 2016) [11].

To meet WTO requirements, Vietnam had to undertake significant commitments and reforms in various areas:

**Tariff reductions:** Vietnam agreed to reduce its average tariff rate from 17.4% to 13.4% over a period of 5-7 years. This included substantial cuts in key sectors such as textiles and garments, where tariffs were to be reduced from 37.3% to 13.7% by 2015.

**Services liberalization:** Vietnam committed to opening up 11 major service sectors and 110 sub-sectors. In the banking sector, for instance, Vietnam allowed 100% foreign-owned banks to operate in the country five years after accession. In telecommunications, it permitted 49% foreign ownership in value-added services and 65% in basic telecom services.

**Intellectual property rights:** Vietnam agreed to fully implement the WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) upon accession, without any transition period. This required significant upgrades to Vietnam's IP laws and enforcement mechanisms.

**Transparency:** The government committed to enhancing transparency in its trade-related laws and regulations. This included publishing all trade-related laws, regulations, and other measures; establishing an official journal for these publications; and allowing a reasonable time for comment before such measures are implemented.

**State-owned enterprises (SOEs):** Vietnam agreed to ensure that its SOEs would make purchases and sales based solely on commercial considerations, without government influence (WTO, 2006) [16].

WTO membership provided Vietnam with several significant benefits:

Most Favored Nation (MFN) status with all WTO members, ensuring non-discriminatory treatment for Vietnamese exports.

Improved access to foreign markets, particularly in textiles and garments, which were no longer subject to quotas in major markets like the U.S. and EU.

A rules-based framework for resolving trade disputes, providing greater predictability and security for Vietnam's international trade relations.

Increased attractiveness to foreign investors, as WTO membership signaled Vietnam's commitment to international standards and practices.

The accession also served as a catalyst for further domestic reforms. It accelerated the restructuring of SOEs, improved the legal framework for business, and enhanced the overall competitiveness of the Vietnamese economy (Vu, 2016) [11].

### *3.3 Current trade statistics and major trading partners*

Since joining the WTO, Vietnam has experienced remarkable growth in international trade, emerging as one of the most dynamic export-oriented economies in Southeast Asia. The country's total trade value (exports plus imports) has consistently exceeded its GDP, indicating a high degree of trade openness. In 2022, Vietnam's trade-to-GDP ratio stood at approximately 188%, one of the highest in the world (World Bank, 2023) [15].

According to the General Statistics Office of Vietnam (2023) [1], in 2022, Vietnam's exports reached approximately $371.85 billion, while imports totaled about $360.68 billion, resulting in a trade surplus of $11.17 billion. This represents a significant increase from 2007, the year of WTO accession, when exports were $48.6 billion and imports were $62.8 billion.

Key export sectors and their approximate share of total exports in 2022 include: Electronics and electrical equipment (32%); Textiles and garments (12%); Footwear (7%); Machinery and equipment (6%); Agricultural products (including coffee, rice, and seafood) (11%).

Vietnam's export success is particularly noteworthy in the electronics sector. The country has become a major producer of smartphones, with companies like Samsung establishing large manufacturing facilities. In 2022, phone exports alone accounted for about 15% of Vietnam's total exports.

Vietnam's major trading partners reflect its deep integration into global value chains and its strategic position in Southeast Asia. The country's top export destinations in 2022 were: United States (29.1% of total exports); China (15.7%); European Union (12.4%); ASEAN countries (8.9%); Japan (7.5%); South Korea (6.9%).

On the import side, Vietnam's main sources of goods were: China (32.4% of total imports); South Korea (16.2%); ASEAN countries (12.3%); Japan (6.2%); European Union (5.8%); United States (4.2%) (General Statistics Office of Vietnam, 2023) [1].

Vietnam has also been actively pursuing free trade agreements (FTAs) to further expand its market access. As of 2023, Vietnam is a party to 15 FTAs, including:

The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), which came into effect in 2019.

The EU-Vietnam Free Trade Agreement (EVFTA), effective from 2020.

The Regional Comprehensive Economic Partnership (RCEP), the world's largest free trade agreement, which Vietnam ratified in 2022.

These agreements have further reduced tariffs on

Vietnamese exports and opened up new opportunities in service sectors (Ministry of Industry and Trade, Vietnam, 2023) [5].

The COVID-19 pandemic presented significant challenges to Vietnam's trade in 2020 and 2021, disrupting global supply chains and reducing demand in key export markets. However, Vietnam's exports showed remarkable resilience, actually growing by 7% in 2020 when global trade contracted. This was partly due to increased demand for electronics (as more people worked from home) and personal protective equipment, both of which Vietnam produces (World Bank, 2021) [14].

Looking ahead, Vietnam faces both opportunities and challenges in its trade development. The country is well-positioned to benefit from the ongoing reconfiguration of global supply chains, as many multinational companies seek to diversify their production bases beyond China. However, Vietnam also needs to address challenges such as infrastructure bottlenecks, skills gaps in the workforce, and the need to move up the value chain in its export industries (World Bank, 2023) [15].

In conclusion, Vietnam's trade profile has undergone a dramatic transformation since the inception of Đổi Mới reforms and particularly since its WTO accession. From a closed, centrally planned economy, Vietnam has emerged as a major trading nation, deeply integrated into global value chains and regional trade agreements. This transformation has been a key driver of Vietnam's rapid economic growth and poverty reduction over the past three decades.

## 4. Vietnam's Commitment to the Trade Facilitation Agreement

Vietnam's commitment to the World Trade Organization's Trade Facilitation Agreement (TFA) represents a significant step in the country's ongoing efforts to integrate into the global trading system and improve its trade processes. This section explores Vietnam's ratification of the TFA, its categorization of commitments, and the establishment of its National Committee on Trade Facilitation.

### *4.1 Ratification of the TFA (2015)*

Vietnam demonstrated its strong commitment to trade facilitation by being one of the early adopters of the TFA. The country ratified the agreement on December 15, 2015, becoming the 54th WTO member and the fifth ASEAN member to do so. This early ratification, which came well before the agreement's entry into force in February 2017, underscored Vietnam's eagerness to embrace trade facilitation reforms and signaled its readiness to implement the agreement's provisions.

The ratification process in Vietnam involved extensive consultations among various government agencies, as well as with the private sector. The Ministry of Industry and Trade led these efforts, working closely with the Ministry of Finance, the General Department of Vietnam Customs, and other relevant bodies. The National Assembly of Vietnam played a crucial role in the ratification process, carefully reviewing the agreement's implications for national legislation and economic development before giving its approval.

By ratifying the TFA, Vietnam committed itself to implementing a wide range of measures aimed at expediting the movement, release, and clearance of goods. These measures include improvements in transparency, streamlined border procedures, enhanced cooperation between border agencies, and the adoption of modern customs techniques. The ratification also positioned Vietnam to benefit from technical assistance and capacity building support offered under the agreement, which is crucial for a developing country in implementing complex trade facilitation measures.

### *4.2 Category A, B, and C commitments*

As part of its implementation strategy for the TFA, Vietnam, like other developing country members of the WTO, categorized its commitments into three groups: A, B, and C. This categorization allows for a flexible, tailored approach to implementation based on each country's capacity and needs.

Category A commitments are those that Vietnam agreed to implement by the time the TFA entered into force (or within one year after entry into force for developing countries). Vietnam's Category A notification, submitted to the WTO on July 27, 2014, and updated on November 4, 2015, included a substantial number of provisions. These covered areas such as publication of information, opportunity to comment on new and amended rules, advance rulings, and appeal procedures. Vietnam's extensive Category A commitments reflected its existing trade facilitation capabilities and its readiness to implement many of the TFA's provisions immediately.

Category B commitments are those that Vietnam would implement after a transitional period following the TFA's entry into force. Vietnam's Category B notification, submitted on February 22, 2018, included provisions that required more time for implementation due to the need for legislative changes, capacity building, or system upgrades. These commitments covered areas such as border agency cooperation, single window, and authorized operators. For each Category B commitment, Vietnam specified a tentative date for implementation, typically ranging from 2 to 5 years after the TFA's entry into force.

Category C commitments are those that Vietnam would implement on a date after a transitional period and for which the country required assistance and support for capacity building. Vietnam's Category C notification, also submitted on February 22, 2018, included provisions that were more complex or resource-intensive to implement. These covered areas such as risk management systems, post-clearance audit, and release times. For each Category C commitment, Vietnam not only specified an tentative implementation date but also outlined the type of assistance needed, such as technical expertise, training, or infrastructure development.

Vietnam's categorization of its commitments demonstrates a balanced and realistic approach to implementing the TFA. By identifying areas where immediate implementation was possible (Category A), where additional time was needed (Category B), and where external support was required (Category C), Vietnam created a roadmap for progressive implementation of the agreement's provisions.

### *4.3 National Committee on Trade Facilitation establishment and role*

To oversee and coordinate the implementation of the TFA, Vietnam established its National Committee on Trade Facilitation (NCTF) in 2016. This committee plays a crucial role in Vietnam's trade facilitation efforts, serving as a central body for coordination, policy-making, and monitoring of TFA implementation.

The NCTF is chaired by a Deputy Prime Minister and includes high-level representatives from key ministries and agencies involved in trade facilitation, such as the Ministry of Industry and Trade, the Ministry of Finance, the General Department of Vietnam Customs, the Ministry of Agriculture and Rural Development, and the Ministry of Health. The committee also includes representatives from the private sector, ensuring that the perspectives and needs of businesses are considered in the implementation process.

The primary responsibilities of the NCTF include:

Coordinating the implementation of the TFA across different government agencies and ensuring coherence in trade facilitation policies.

Monitoring progress on the implementation of Category A, B, and C commitments and proposing adjustments to the implementation timeline as needed.

Identifying capacity building needs and coordinating with international donors and organizations to secure necessary technical assistance and support.

Serving as a forum for dialogue between the government and the private sector on trade facilitation issues.

Proposing and overseeing reforms to improve Vietnam's trade facilitation performance, including simplification of procedures, adoption of new technologies, and harmonization with international best practices.

Representing Vietnam in international forums on trade facilitation and coordinating with other countries' trade facilitation committees.

The establishment of the NCTF demonstrates Vietnam's serious commitment to implementing the TFA and improving its overall trade facilitation environment. By bringing together key stakeholders from both the public and private sectors, the committee ensures a comprehensive and coordinated approach to trade facilitation reforms.

In conclusion, Vietnam's commitment to the Trade Facilitation Agreement, as evidenced by its early ratification, strategic categorization of commitments, and establishment of a dedicated National Committee on Trade Facilitation, underscores the country's determination to enhance its trade processes and further integrate into the global trading system. These efforts are expected to contribute significantly to Vietnam's economic growth and competitiveness in the years to come.

## 5. Current Status of TFA Implementation in Vietnam

Vietnam has made significant strides in implementing the Trade Facilitation Agreement (TFA) since its ratification in 2015. The country's approach to implementation has been systematic and strategic, focusing on fulfilling its commitments across all categories while simultaneously undertaking broader trade facilitation reforms. This section examines the progress made on Category A, B, and C commitments, as well as key implemented measures and reforms.

### *5.1 Progress on Category A commitments*

Vietnam's Category A commitments, which were to be implemented by the time the TFA entered into force or shortly thereafter, have seen substantial progress. These commitments primarily covered areas where Vietnam already had existing capabilities or where implementation required minimal adjustments to current practices.

One of the key achievements in Category A has been the enhanced transparency in trade-related information. Vietnam has significantly improved the publication and availability of information related to import, export, and transit procedures. The General Department of Vietnam Customs has revamped its website to provide comprehensive, up-to-date information on customs procedures, forms, and regulations in both Vietnamese and English. This has greatly improved accessibility for both domestic and international traders.

Another area of notable progress is in the implementation of advance rulings. Vietnam Customs has established a system for issuing advance rulings on tariff classification and origin of goods, allowing traders to obtain binding decisions before the importation of goods. This has enhanced predictability and reduced delays and disputes at the border.

Vietnam has also made significant improvements in its appeal procedures. The country has established and strengthened mechanisms for administrative and judicial review of customs decisions, ensuring that traders have recourse to independent appeal processes. This has enhanced the fairness and transparency of customs operations.

Furthermore, Vietnam has implemented measures to expedite the release and clearance of goods. This includes the introduction of pre-arrival processing, allowing traders to submit import documentation before the arrival of goods, and the implementation of post-clearance audits, which has facilitated faster clearance times while maintaining effective customs control.

### *5.2 Advancements in Category B commitments*

Vietnam's progress on Category B commitments, which required a transitional period for implementation, has been steady but varied across different provisions. These commitments often required more substantial changes to existing systems or practices.

One of the most significant advancements in Category B has been in the area of risk management. Vietnam Customs has made considerable progress in developing and implementing a comprehensive risk management system. This system allows for more targeted inspections based on risk profiles, reducing the overall inspection rate and facilitating faster clearance for low-risk shipments.

Another area of progress is in the implementation of a National Single Window (NSW). While the full implementation of the NSW was categorized as a Category C commitment, significant groundwork has been laid under Category B. Vietnam has successfully connected several government agencies to the NSW platform, allowing traders to submit standardized information and documents through a single entry point to fulfill all import, export, and transit-related regulatory requirements.

Vietnam has also made advancements in implementing authorized economic operator (AEO) programs. The country has established the legal framework for AEOs and begun piloting the program with select companies. This program offers simplified customs procedures for trusted traders who meet certain compliance criteria.

Progress has also been made in enhancing border agency cooperation. Vietnam has established mechanisms for improved coordination between customs and other border agencies, both domestically and with neighboring countries. This has led to more efficient border procedures and reduced duplication of inspections.

### *5.3 Ongoing work on Category C commitments*

Category C commitments, which require both a transitional period and capacity building support for implementation, represent the most challenging aspects of TFA implementation for Vietnam. While progress in this category has been slower compared to Categories A and B, significant efforts are underway.

One of the key areas of ongoing work is the full implementation of the National Single Window and its integration with the ASEAN Single Window. Vietnam is working with international partners to secure technical assistance for system upgrades and capacity building to ensure the NSW can handle all trade-related procedures and connect seamlessly with regional systems.

Another focus area is the implementation of a comprehensive Time Release Study (TRS) system. Vietnam is collaborating with the World Customs Organization to develop the capacity to conduct regular TRS, which will help identify bottlenecks in the clearance process and inform future reforms.

Work is also ongoing to enhance Vietnam's test procedures. This includes upgrading laboratory facilities and developing risk-based testing protocols to ensure that product testing does not unnecessarily delay trade while maintaining adequate safety standards.

Furthermore, Vietnam is working on improving its systems for handling perishable goods. This includes developing specialized facilities at major ports and airports and implementing expedited release procedures for these time-sensitive products.

### *5.4 Key implemented measures and reforms*

Beyond the specific TFA commitments, Vietnam has implemented several key measures and reforms that have significantly enhanced its trade facilitation environment:

**Customs Modernization:** Vietnam has invested heavily in modernizing its customs administration. This includes the implementation of the Vietnam Automated Cargo and Port Consolidated System and the Vietnam Customs Information System (VNACCS/VCIS), which has automated many customs processes and reduced clearance times.

**Regulatory Reform:** Vietnam has undertaken a comprehensive review of its trade-related regulations, eliminating unnecessary requirements and harmonizing procedures with international standards. This has included reforms to specialized inspection procedures, which have historically been a major source of trade delays.

**Infrastructure Development:** Significant investments have been made in upgrading port and border crossing infrastructure. This includes the development of new deep-water ports and the modernization of land border gates with neighboring countries.

**E-Customs:** Vietnam has made substantial progress in implementing e-customs procedures. As of 2023, nearly all customs declarations are processed electronically, significantly reducing paperwork and processing times.

**Coordination Mechanisms:** Vietnam has established inter-agency coordination mechanisms to address trade facilitation issues. This includes regular dialogues between government agencies and the private sector to identify and address trade bottlenecks.

**Capacity Building:** Vietnam has invested in building the capacity of its customs officials and other border agency staff. This includes regular training programs on new procedures, risk management techniques, and international best practices in trade facilitation.

In conclusion, Vietnam has made significant progress in implementing the TFA, with substantial achievements in Category A commitments, steady advancements in Category B, and ongoing efforts in Category C. The country's comprehensive approach to trade facilitation reforms, extending beyond the specific TFA commitments, demonstrates its commitment to improving its trade environment. However, challenges remain, particularly in implementing more complex Category C commitments and in ensuring that reforms are effectively implemented across all border agencies and at all entry points. Continued effort, investment, and international support will be crucial for Vietnam to fully realize the benefits of the TFA and further enhance its position in global trade.

## 6. Challenges in Implementing the TFA

While Vietnam has made significant progress in implementing the Trade Facilitation Agreement, the country continues to face various challenges that hinder full and effective implementation. These challenges span across institutional, regulatory, technical, infrastructural, human resource, and financial domains. Understanding these obstacles is crucial for developing targeted strategies to overcome them and fully realize the benefits of the TFA.

### *6.1 Institutional and regulatory obstacles*

One of the primary challenges Vietnam faces in implementing the TFA is overcoming institutional and regulatory obstacles. The country's governance structure, characterized by multiple layers of authority and sometimes overlapping responsibilities among various agencies, can complicate the implementation of trade facilitation measures.

A key issue is the lack of effective inter-agency coordination. While Vietnam has established a National Committee on Trade Facilitation, ensuring seamless cooperation among all relevant agencies remains challenging. Different ministries and agencies often have their own priorities and procedures, which can lead to inconsistencies in the application of trade facilitation measures. For instance, while customs procedures might be streamlined, other agencies responsible for specialized inspections (such as health, agriculture, or quality control) may still apply time-consuming processes that delay overall clearance times.

Another significant obstacle is the complex and sometimes outdated regulatory framework. Despite efforts to reform trade-related regulations, Vietnam still has a multitude of decrees, circulars, and decisions that govern various aspects of trade. This regulatory complexity can lead to confusion among traders and inconsistent application of rules by officials. Moreover, some regulations may be in conflict with TFA provisions, requiring careful review and amendment - a process that can be time-consuming and politically sensitive.

The challenge of regulatory harmonization extends beyond domestic regulations to include alignment with international standards and best practices. While Vietnam has made progress in this area, fully harmonizing all trade-related regulations with international norms remains a work in progress. This is particularly challenging in areas such as sanitary and phytosanitary measures, technical barriers to trade, and intellectual property rights enforcement.

### *6.2 Technical and infrastructural limitations*

Vietnam also faces significant technical and infrastructural challenges in implementing the TFA. While the country has made substantial investments in modernizing its trade infrastructure, gaps remain, particularly in more remote border areas and smaller ports.

One of the most pressing technical challenges is the full implementation of the National Single Window (NSW) and its integration with the ASEAN Single Window. While Vietnam has made progress in connecting some agencies to the NSW, achieving full coverage of all trade-related procedures and ensuring seamless data exchange among all relevant agencies remains a complex task. This requires not only sophisticated IT systems but also standardization of data and processes across different agencies.

Infrastructure limitations also pose challenges. While major ports and border crossings have seen significant upgrades, many smaller entry points lack modern facilities for efficient cargo handling, inspection, and clearance. This includes limitations in cold storage facilities for perishable goods, laboratory facilities for product testing, and modern scanning equipment for non-intrusive inspections.

Another technical challenge lies in implementing advanced risk management systems. While Vietnam has made progress in this area, fully leveraging data analytics and artificial intelligence for risk profiling and targeting requires significant technological upgrades and expertise.

Connectivity issues, particularly in more remote areas, can also hinder the implementation of electronic systems for customs declarations and other trade-related processes. Ensuring reliable, high-speed internet connections at all border points is crucial for the effective operation of e-customs and other digital trade facilitation measures.

### *6.3 Human resource and capacity building needs*

The implementation of the TFA requires not only changes in systems and procedures but also a significant upgrade in the skills and knowledge of the workforce involved in trade facilitation. This presents a major challenge for Vietnam.

One of the key issues is the need to train a large number of customs officers and other border agency staff on new procedures, technologies, and international best practices. This includes building capacity in areas such as risk management, post-clearance audit, advance rulings, and the operation of the National Single Window. The challenge is not just in providing initial training, but in ensuring ongoing skill development to keep pace with evolving trade facilitation practices and technologies.

There's also a need to develop specialized expertise in certain areas. For instance, implementing time release studies, conducting risk-based inspections, and managing authorized economic operator programs all require staff with specific technical skills. Developing this expertise domestically can be time-consuming and resource-intensive.

Another human resource challenge lies in changing the mindset and organizational culture, particularly within customs and other border agencies. Moving from a control-oriented approach to a facilitation-focused one requires not just new skills but a shift in attitudes and work practices. This cultural change can be slow and challenging to achieve.

The private sector also requires capacity building. Traders, especially small and medium-sized enterprises, need to be educated on new procedures and how to take advantage of trade facilitation measures. This includes building their capacity to comply with new requirements and to effectively use systems like the National Single Window.

### *6.4 Financial constraints*

Implementing the TFA requires significant financial resources, and this presents a considerable challenge for Vietnam. While the country has allocated substantial funds for trade facilitation reforms, the full implementation of all TFA measures, particularly those in Category C, requires investments that strain the national budget.

One of the major financial challenges is the cost of upgrading and maintaining IT systems. Implementing a fully functional National Single Window, advanced risk management systems, and other IT-based solutions requires significant upfront investment and ongoing maintenance costs. These costs can be particularly burdensome given the rapid pace of technological change, which may necessitate frequent updates and upgrades.

Infrastructure development also requires substantial financial resources. Upgrading ports, border crossings, and testing facilities to meet international standards involves significant capital expenditure. This is particularly challenging for smaller, less-used border crossings, where the return on investment may be lower.

Another financial constraint relates to human resource development. Providing comprehensive training programs for a large number of staff across multiple agencies, as well as attracting and retaining skilled personnel in key areas, requires ongoing financial commitment.

Moreover, while trade facilitation measures are expected to bring long-term economic benefits, many of the costs are front-loaded. This can create budgetary pressures, especially in the context of competing demands for public resources in a developing country like Vietnam.

While international donors and organizations provide some support for TFA implementation, ensuring sustainable funding for ongoing operation and maintenance of trade facilitation measures remains a challenge. There's a need to develop sustainable funding mechanisms that can support long-term implementation and continuous improvement of trade facilitation measures.

In conclusion, while Vietnam has shown strong commitment to implementing the TFA, it faces a complex set of challenges spanning institutional, regulatory, technical, human resource, and financial domains. Addressing these challenges requires a multi-faceted approach, involving not just government agencies but also the private sector and international partners. It necessitates sustained effort, investment, and innovation to overcome these obstacles and fully realize the benefits of enhanced trade facilitation. Despite these challenges, the potential benefits of full TFA implementation – including reduced trade costs, increased trade volumes, and improved competitiveness – provide a strong incentive for Vietnam to persevere in its trade facilitation efforts.

## 7. Conclusion and Recommendation

Vietnam's journey in implementing the World Trade Organization's Trade Facilitation Agreement (TFA) has been marked by significant progress, strategic planning, and persistent challenges. This comprehensive review of Vietnam's TFA implementation status reveals a complex landscape of achievements, ongoing efforts, and areas requiring further attention.

One of the most notable findings is Vietnam's strong commitment to trade facilitation, as evidenced by its early ratification of the TFA in 2015. This early adoption positioned Vietnam as one of the frontrunners among developing countries in embracing the agreement's principles and obligations. The establishment of the National Committee on Trade Facilitation further underscored Vietnam's serious approach to coordinating and overseeing the implementation process, bringing together key stakeholders from both the public and private sectors.

In terms of specific commitments, Vietnam has made substantial progress in implementing its Category A measures. These include enhanced transparency in trade-related information, with significant improvements in the publication and accessibility of customs procedures, regulations, and forms. The implementation of advance rulings on tariff classification and origin of goods has enhanced predictability for traders, while improvements in appeal procedures have strengthened the fairness and transparency of customs operations. The introduction of pre-arrival processing and post-clearance audits has contributed to expediting the release and clearance of goods, demonstrating Vietnam's capacity to swiftly implement measures that align with its existing capabilities.

Advancements in Category B commitments, while more gradual, have been noteworthy. The development and implementation of a comprehensive risk management system by Vietnam Customs represents a significant step towards more efficient and targeted inspections. Progress on the National Single Window, although categorized partially under Category C, has seen substantial groundwork laid under Category B commitments. The establishment of an Authorized Economic Operator program and enhanced border agency cooperation further illustrate Vietnam's steady progress in areas requiring more substantial changes to existing systems or practices.

The ongoing work on Category C commitments, which require both a transitional period and capacity building support, highlights the more complex challenges Vietnam faces in fully implementing the TFA. Efforts towards the complete implementation of the National Single Window, development of a comprehensive Time Release Study system, enhancement of test procedures, and improvements in handling perishable goods are all underway. These areas, while progressing, underscore the need for continued technical assistance and capacity building support from international partners.

Beyond the specific TFA commitments, Vietnam has implemented several key measures and reforms that have significantly enhanced its overall trade facilitation environment. The modernization of customs administration, including the implementation of the VNACCS/VCIS system, has automated many customs processes and reduced clearance times. Comprehensive regulatory reforms have streamlined trade-related procedures, while significant investments in infrastructure have upgraded ports and border crossing facilities. The widespread adoption of e-customs procedures, with nearly all customs declarations now processed electronically, marks a major shift towards digital trade facilitation.

However, the review also reveals persistent challenges that Vietnam faces in fully implementing the TFA. Institutional and regulatory obstacles, including the need for better inter-agency coordination and the complexity of the regulatory framework, continue to hinder seamless implementation. Technical and infrastructural limitations, particularly in remote areas and smaller ports, pose challenges to uniform application of trade facilitation measures across the country. The need for extensive human resource development and capacity building, both within government agencies and the private sector, remains a significant hurdle. Financial constraints, especially in funding large-scale IT systems and infrastructure upgrades, present ongoing challenges to full TFA implementation.

Despite these challenges, Vietnam's overall progress in implementing the TFA is commendable. The country has demonstrated a clear commitment to enhancing its trade facilitation environment, recognizing the potential benefits in terms of reduced trade costs, increased trade volumes, and improved competitiveness in the global market. The strategic categorization of commitments into A, B, and C categories has allowed Vietnam to prioritize its efforts and resources effectively, while also identifying areas where international support is needed.

Based on the comprehensive review of Vietnam's progress and challenges in implementing the Trade Facilitation Agreement, several key recommendations emerge for policymakers and stakeholders. These recommendations aim to address the identified obstacles, accelerate the implementation process, and maximize the benefits of trade facilitation for Vietnam's economy.

*Enhance Inter-Agency Coordination*

One of the primary recommendations is to strengthen the mechanisms for inter-agency coordination. While the National Committee on Trade Facilitation has been established, its effectiveness could be further enhanced. Policymakers should consider creating dedicated working groups within the committee, each focused on specific aspects of TFA implementation. These working groups should include representatives from all relevant agencies and should meet regularly to address implementation challenges, share progress, and ensure consistency in approach across different government bodies. Additionally, establishing a digital platform for real-time information sharing among agencies could significantly improve coordination and decision-making processes.

*Accelerate Regulatory Reform and Harmonization*

To address the challenges posed by regulatory complexity, a comprehensive review and streamlining of trade-related regulations should be prioritized. Policymakers should establish a dedicated task force to identify and eliminate redundant or conflicting regulations, and to harmonize domestic rules with international standards. This process should involve close consultation with the private sector to ensure that reforms address real-world trade facilitation needs. Special attention should be given to aligning regulations related to specialized inspections (e.g., sanitary and phytosanitary measures, technical standards) with TFA provisions and international best practices.

*Prioritize Technology Investment and Digital Transformation*

Given the technical challenges in implementing advanced trade facilitation measures, substantial investment in technology infrastructure is crucial. Policymakers should prioritize the allocation of resources for the full implementation and integration of the National Single Window system. This should include not only the necessary hardware and software upgrades but also investments in data

standardization and interoperability across different agencies. Additionally, the development of a comprehensive digital strategy for trade facilitation, incorporating emerging technologies such as artificial intelligence and blockchain, could position Vietnam at the forefront of digital trade facilitation.

*Develop a Comprehensive Capacity Building Strategy*

To address the human resource and capacity building needs, a long-term, comprehensive strategy should be developed. This strategy should encompass training programs for government officials across all relevant agencies, not just customs. It should include both technical skills (e.g., risk management, post-clearance audit) and soft skills (e.g., customer service, change management). Partnerships with international organizations and leading countries in trade facilitation could be leveraged to access expertise and training resources. Furthermore, the strategy should include programs to build capacity within the private sector, particularly for small and medium-sized enterprises, to help them understand and leverage trade facilitation measures.

*Establish Sustainable Funding Mechanisms*

To address financial constraints, policymakers should explore innovative funding mechanisms for trade facilitation initiatives. This could include public-private partnerships for infrastructure development, cost-sharing arrangements with the private sector for certain services, and the establishment of a dedicated trade facilitation fund supported by a small levy on trade transactions. Additionally, a more strategic approach to leveraging international donor support should be developed, focusing on aligning donor projects with national priorities and ensuring long-term sustainability of initiatives beyond the project lifecycle.

*Enhance Transparency and Stakeholder Engagement*

To build trust and ensure that trade facilitation measures meet the needs of the trading community, greater transparency and stakeholder engagement should be prioritized. Regular public-private dialogues on trade facilitation should be institutionalized, providing a platform for the private sector to provide feedback on implementation challenges and propose solutions. An online portal dedicated to TFA implementation, providing real-time updates on progress, upcoming changes, and opportunities for feedback, could significantly enhance transparency and stakeholder engagement.

*Implement a Robust Monitoring and Evaluation System*

To ensure effective implementation and continuous improvement, a comprehensive monitoring and evaluation system for TFA implementation should be established. This system should include clear key performance indicators (KPIs) for each TFA measure, regular data collection and analysis, and periodic independent evaluations. The results should be publicly shared and used to inform policy adjustments and resource allocation decisions.

*Prioritize Infrastructure Development in Remote Areas*

Given the disparities in trade facilitation capabilities between major ports and remote border crossings, a targeted infrastructure development program for underserved areas should be implemented. This program should focus on upgrading facilities, improving connectivity, and ensuring uniform application of trade facilitation measures across all entry points. Special economic zones or cross-border economic areas could be considered as a means to catalyze development in these regions.

*Develop Specialized Expertise*

To address complex aspects of TFA implementation, Vietnam should invest in developing specialized expertise in critical areas. This could involve creating centers of excellence for specific trade facilitation topics (e.g., risk management, time release studies), establishing partnerships with academic institutions for research and training, and implementing exchange programs with countries advanced in trade facilitation.

*Promote Regional Cooperation*

Given Vietnam's position within ASEAN and the broader Asia-Pacific region, enhanced regional cooperation on trade facilitation should be pursued. This could include harmonizing trade procedures with neighboring countries, participating actively in regional single window initiatives, and sharing best practices and lessons learned with regional partners. Such cooperation can create synergies and economies of scale in addressing common trade facilitation challenges.

By implementing these recommendations, policymakers and stakeholders can address the key challenges facing Vietnam in its TFA implementation journey. These actions will not only accelerate the implementation process but also ensure that Vietnam fully capitalizes on the benefits of enhanced trade facilitation. The result will be a more competitive trading environment, increased trade volumes, and ultimately, sustainable economic growth for Vietnam.

## 8. Acknowledgments

The article was conducted under the research support of the topic *"Status of implementation of the World Trade Organization's Trade Facilitation Agreement in Vietnam"*. Subject code: 13.01.24.F.08 Hosted by Hanoi University of Natural Resources and Environment.

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