

LETTER OF INTENT BETWEEN

The Central Board of Excise and Customs of the Republic of India,
the Federal Public Service Finance – General Administration of Customs and Excise of the Kingdom of
Belgium,

the Ministry of Finance and the Customs Administration of the Netherlands
and the Customs and Excise Authority of the Grand Duchy of Luxembourg,

ON THE LAUNCH OF A PROJECT ON ELECTRONIC EXCHANGE OF CUSTOMS AND CERTIFICATION INFORMATION

Whereas the Parties to this Letter of Intent (hereinafter referred to as the “Parties”) aim to contribute to further facilitation of legitimate integrated supply chains and enhance international exchange of information, in particular by piloting modern ways of replacing current paper based processes, as foreseen in the “paperless trade” project that has been initiated in Goa in the context of ASEM Customs cooperation;

Recognising that modern ICT applications enable parties to exchange information needed for export and import procedures in a paperless and secure way;

Recognising that the electronic information concerned is commercially sensitive and for that reason needs to be communicated via, and, when applicable, stored in appropriately secured government owned systems and databases;

Recognising also that efforts of experts on electronic certification of all Parties are needed to realise the technical requirements for the exchange on electronic certification;

Desiring to jointly start a pilot project for electronic certification of food and agricultural products that are traded between India on the one side and the Benelux¹ countries on the other, and digital exchange of these electronic certificates so as to promote the facilitation of importation and exportation of food and agricultural products.

¹ The Benelux is an intergovernmental organisation comprised of the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg, established by the updated Benelux Treaty signed in The Hague on 17 June 2008.

Parties express their intent to:

- select a number of supply chains between the Benelux countries and India and vice versa that require paper based documentation in the area of SPS (Sanitary and PhytoSanitary) regulations with a view to replacing the paper documents by electronic equivalents via a pilot-based project with the intention to facilitate the legitimate flows of products in the selected supply chains;
- focus in first instance on supply chains involving food and agricultural products and optimise the co-operation between all authorities concerned in the context of enhanced cross border coordinated border management;
- jointly identify and agree upon the data elements required for such paperless processes and for facilitation in the processing of the products in the selected supply chains;
- use a secure platform for exchanging and, as far as applicable, storing the information required in the trade between India on the one side and the Benelux countries on the other;
- examine the replacement of paper certificates, still required today to prove the quality and consumer and flora safety of consignments of agricultural products, by electronic certification methods that offer at least the same degree of security as the paper certificates;
- enhance the security of certification by electronic certification and minimise the use of counterfeit certificates;
- provide by electronic certification availability of real-time data of the trade in food and agricultural products, thus facilitating the export procedures, the entry clearance in the ports where inspection needs to take place and the successive import clearance;
- base the electronic certification on international standards (such as IPPC ISPM 12 and UN/Cefact BRS on e-cert, UN/Cefact XML scheme and including the UN/Cefact Recommendation on Digital Evidence);
- exchange electronic certificates directly between the competent authorities while ensuring that customs authorities are aware of the consignments that are being shipped in the context of the pilot (by information of the companies involved);
- bear their own costs, to the extent feasible, to achieve electronic certification and exchange of real time trade data as well as certificate of food and agriculture products;
- stop the pilot-project when the expected objectives cannot be achieved.

Signed in Brussels, on 15 December 2017.

Signatories

For Belgium

For India

For Luxembourg

For The Netherlands