



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES

Established in 1952 as the Customs Co-operation Council
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HARMONIZED SYSTEM
COMMITTEE

NC0742E1

-
32nd Session

O. Eng.

Brussels, October 2003.

USE OF WORKING LANGUAGES FOR HS MATTERS

(Item III.1 on Agenda)

Reference documents :

NC0361E1 (HSC/27)
NC0430E2 (HSC/27 – Report)
NC0600E1 (HSC/30)

NC0655E2, Annex C (HSC/30 – Report)
NC0667E1 (HSC/31)
NC0730E2, Annex C/1 (HSC/31 – Report)

I. BACKGROUND

1. At its 31st Session (May 2003), the Director of Tariff and Trade Affairs informed the Committee that the Secretariat was still trying to work out arrangements with the Spanish speaking administrations concerning the introduction of Spanish as a working language in the Harmonized System Committee. In this regard the Director gave the following information to the Committee :

- it appeared that there would be three years of funding from the Inter-American Development Bank (IDB);
- there would be one Spanish speaking Technical Attaché assigned to WCO in Brussels, as well as one working in Mexico and one in Spain;
- there would be interpretation into Spanish at all of the HS-related committees (HSC, RSC, SSC); and
- there would be translation of certain, but apparently not all, HS documents into Spanish.

He hoped that all of these arrangements could be put into place in the very near future.

2. He further informed the Committee that agreed Spanish versions of Amending Supplements 1 and 2 to the Explanatory Notes and the Compendium of Classification Opinions (including Amending Supplements 1 to 31) had just been received from Mexico. He asked the Committee to accept these versions as Spanish working language versions of these publications.

Note : Shaded parts will be removed when documents are placed on the WCO documentation database available to the public.

Files Nos. 2144 and 2834

For reasons of economy, documents are printed in limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

3. The Delegate of **Mexico** reminded the Committee that it had accepted the agreed Spanish working language version of the HS 2002 Explanatory Notes at its last session. He was therefore pleased to inform the Committee that, with the publications referred to by the Director, the HS Nomenclature, the HS Explanatory Notes and the Compendium of Classification Opinions were now available in agreed Spanish versions, and expressed the view that this would facilitate the use of Spanish as a working language in the various HS committees.
4. The Committee accepted the agreed Spanish working language versions of Amending Supplements 1 and 2 to the Explanatory Notes and the Compendium of Classification Opinions (including Amending Supplements 1 to 31).

II. RECENT ACTIVITIES

Spanish

5. Since the last meeting of the Committee, one Spanish speaking Technical Attaché has started to work in the WCO Secretariat in Brussels (since June 2003) - in addition to one working in Mexico and one in Spain. At the last meeting of the Review Sub-Committee (September 2003), interpretation into Spanish was provided. However, for economic reasons it has not been finally decided whether there will be interpretation at all meetings of the HS-related committees (HSC, RSC and SSC) in the future. There will probably be translation of all HS documents into Spanish for this meeting (HSC/32) and for future meetings, and interpretation into Spanish.
6. As to further Amending Supplements to the Explanatory Notes (3 and 4) and to the Compendium of Classification Opinions (32 and 1 (new edition)), they have not yet been received from Mexico.
7. As of the time of preparation of this document, the Secretariat has had no further news with regard to other matters concerning the use of Spanish as a working language for HS matters. Spanish speaking administrations are therefore invited to inform the Committee of the present state of affairs in this regard.

Russian

8. A meeting of Customs Representatives and Customs Attachés of member countries of the Commonwealth of Independent States, was held in Brussels on 19 June 2003.
9. At the invitation of the WCO Secretariat, the following countries were represented : Armenia, Belarus, Kirghyzstan, Moldova, Russia, Tajikistan, Turkmenistan and Uzbekistan. Although representatives from all CIS countries had been invited, not all of them were able to attend.
10. The main objectives of the meeting were to raise awareness of the significance of HS work, to identify impediments to accession to the Harmonized System (HS) Convention, to encourage all CIS countries to become Contracting Parties to the HS Convention and also to more actively participate in HS Committee meetings, as well as in certain important projects being developed by the Compliance and Facilitation Directorate.
11. The participants were informed of the importance of being involved in the decision-making process in the HS Committee. They were invited to inform their respective

administrations of the many advantages of becoming a Contracting Party to the HS Convention and to urge their administrations to accede to the Convention as soon as possible.

12. With regard to possible impediments to accession to the HS Convention, the attention of the participants was drawn to the fact that all CIS countries, except for Ukraine, had accepted the Agreement on the common CIS Foreign Trade Commodity Nomenclature (FTCN), according to which all CIS countries had undertaken to use the uniform Commodity Nomenclature for tariff, trade policy and statistical purposes. This Nomenclature, in its turn, was based on the HS Nomenclature. As from 1 January 2002, the 2002 amendments to the HS Nomenclature were implemented and incorporated into the FTCN. Consequently, becoming a Contracting Party to the HS Convention would, in fact, not result in any additional obligations for CIS countries. It was also made clear, that joining the Convention would not entail any financial implications for a new Contracting Party.
13. In connection with the use of Russian as a working language for HS matters, it was explained that beginning with the 28th Session of the HS Committee (November 2001) simultaneous interpretation was being provided for all HS Committee, Review Sub-Committee and Scientific Sub-Committee meetings and all working documents were being translated into Russian and made available via the WCO Members Web site and also by mail to Customs administrations interested in the use of the Russian language. It was also indicated that all HS-related publications, such as the 2002 HS Nomenclature, the 2002 HS Explanatory Notes and the Compendium of Classification Opinions had been already translated into Russian, and the Classification Handbook and the Customs Laboratory Guide would be made available in Russian soon.
14. Concerns were expressed with regard to the fact that, although the number of CIS countries represented in the HS Committee had been increasing, the level of participation of the CIS countries in the HS-related meetings was still limited. Participants were encouraged to take part in the meetings of the HS Committee and to serve as a liaison between the WCO committees and their home administration. It was also stressed that written comments and proposals should be submitted to the Secretariat before meetings; such comments would always be taken into consideration when a specific item was discussed.
15. The participants were urged to obtain access to the WCO Members Web site in order to download documents and to better prepare for meetings. In this connection the Secretariat was asked to consider the possibility of placing a link to the Russian section of the Web site on the WCO homepage.
16. Attention was also called to the fact that the CIS may adopt a regional approach to HS activities. To achieve that goal, greater co-operation between CIS Customs administrations was needed.
17. In conclusion, the participants agreed with the following recommendations as to HS activities :
 - (i) necessary steps need to be taken in order to raise awareness of the significance of HS work at the political level in national governments;
 - (ii) non-Contracting Parties should actively engage in the process of becoming Contracting Parties and joining the HS Convention as soon as possible;
 - (iii) for the time being, non-Contracting Parties should participate in the HS Committee meetings as observers;

- (iv) Contracting Parties should actively participate in the HS Committee by sending delegates from Customs administrations, to the extent possible, as well as by submitting written comments to the Secretariat;
 - (v) Customs Representatives/Customs Attachés in Brussels, as an important part of their responsibilities, should serve as a liaison between the WCO committees and their home administration, and participate in the meetings to the extent possible;
 - (vi) in order to promote regional activities on HS matters, actions among CIS Customs administrations as well as among Customs Representatives/Customs Attachés in Brussels need to be co-ordinated;
 - (vii) both CIS Embassies/Missions to the EU in Brussels and CIS Customs administrations should obtain the WCO Member Web-site access;
 - (viii) Customs Representatives/Customs Attachés in Brussels should check with their administrations on whether or not the HS 2002 amendments have been implemented, and, if yes, send a formal notification to the Secretary General of the WCO; and
 - (ix) the Secretariat should be informed of a person responsible for Customs issues in the Embassies/Missions to the EU
18. Amendments to the Explanatory Notes and to the Compendium of Classification Opinions in Russian are published in the same manner as amending supplements in English and French once they have been adopted by the HS Committee at the time of the reading of the Report.

Portuguese

19. During the 101st and 102nd Council Sessions (June 2003), the Secretariat organised a meeting between the Directors General of Angola, Brazil, Cape Verde, East Timor, Mozambique, Portugal and the Secretariat, to discuss common problems of concern to the Portuguese-speaking countries with regard to the Harmonized System.
20. The Director called the participants' attention to the non-application of the HS 2002 version by some of their administrations. He strongly invited those administrations to apply the 2002 version as soon as possible. He also encouraged those participants not yet a Contracting Party to the HS Convention to make every effort to join that Convention.
21. One of the goals of this meeting was to achieve a common agreement on a single Portuguese version of the Harmonized System and its Explanatory Notes. After some discussion, the participants concluded that a single version of the HS Nomenclature in Portuguese was of immense importance in order to standardise the language used in trade affairs not only among the Portuguese-speaking countries but between those countries and the rest of the world. The local characteristics of the Portuguese spoken in South America, Africa and Oceania should not be an obstacle to achieving a single version of the Harmonized System. In this connection, the Directors General agreed to continue the current practice of inserting, in parentheses, words or expressions particular to their countries in order to facilitate comprehension. The Directors General then agreed to continue to work towards the goal of a single version of the Harmonized System. With this in mind, they also decided to have virtual meetings, using modern technology, to prepare the single version of the Portuguese HS 2002 Nomenclature and to have, in the very near future, one final meeting at the headquarters of one of the administrations to conclude the work.

22. The Director General of Portugal brought to the attention of the group the idea of having Portuguese as a working language of the Harmonized System Committee and its Sub-Committees. The Secretariat representative, while encouraging the authorities present at the meeting to continue with this issue, referred to all of the difficulties that would have to be overcome to bring this idea to fruition. In particular, he informed the participants that the WCO was not in a position to incur any additional costs with regard to the languages used at the WCO. The Portuguese Administration promised to undertake all the necessary contacts and research to explore the possibility of establishing Portuguese as a working language of the Harmonized System.

III. CONCLUSION

23. The Committee is invited to take note of the above information relating to the use of the Spanish, Russian and Portuguese languages for HS matters.
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