CUSTOMS LOGISTICS WORKING GROUP
Location: WFP Meeting Room, Sana’a
Date: 21 March, 2010 14:00

Action Point: Log Cluster to circulate “Model Agreement on Customs Facilitation”
Action Point: OCHA to investigate availability of “Model Agreement” in Arabic
Action Point: OCHA to collate individual UN Agency Standard Basic Agreements for comparative analysis on import procedures
Action Point: Log Cluster to discuss with UNDSS to ensure commonality of approach with current efforts regarding ICT equipment importation

Note for the Record

1. Current Procedures Overview
   WFP
   • Request for import and duty exemption letter is sent each time to Ministry of Planning (MoP) 48 hours in advance
   • Once approval letter is received, designated clearing agent processes all documentation through Customs which takes approx. 7 days
   • For food imports, a sample is taken by Yemen Bureau of Standards at the Port. No distribution of commodity can take place until clearance paperwork issued (7-15 days)
   INGO
   • Procedure broadly similar to above, with the addition of a letter needed from the Ministry of Finance before processing paperwork through Customs.

   Observations
   • Process is not entity-based, and requires specific individuals to sign and issue letters from the respective Ministries. This inhibits predictable and uniform procedures for clearance
   • All processes require originals of all documents, which also inhibits expediting clearance of relief assistance in a timely manner
   • For regular programme material requirements, NGO’s must state expectation of relief goods to be received over a 12-month period at the beginning of each calendar year
   • Whilst the procedure for WFP appears to require relatively few Ministry interventions and authorizations, the process still takes approximately 25 days. Average NGO clearance times are closer to 2 months
   • Different UN agencies may have separate procedures to the WFP, perhaps based on the individual UN Agency Standard Basic Agreement (SBA) with GoY
   • INGO agreements with GoY appear to be based on a standard and similar template agreement

2. Discussion
   • A hard copy of the OCHA document “Model Agreement on Customs Facilitation in Humanitarian Assistance” was shared with the Working Group
   • It was noted that, whilst this document would potentially provide the conceptual or legal framework with GoY, it would need to be supplemented with a mutually-agreed “Operational Procedure” checklist that would specify a timeframe for each process
   • Emphasis needs to be placed on the clearance of relief goods as part of an Emergency Response
   • Imperative to ensure that the Humanitarian Community is dealing with Government Entities, not individuals
   • The high-level Relief Committee under relevant Minister and authorities could be engaged in this process to make this a government-developed initiative. If the Relief
Logistics Cluster Committee could issue a paper “Guidelines from the GoY Relief Committee for Clearance of Humanitarian Assistance during an Emergency Response”, incorporating elements of the “Model Agreement” and an “Operational Procedure” checklist, it would carry more weight within GoY and hopefully make the process more transparent and enforceable

- It is important that this process does not interfere with or contradict anything that has been carried out to date by UNDSS to resolve the difficulties of importing communications equipment

3. Next Steps

- See Action Points

4. Yemen Logistics Cluster Mailing List

- A reminder that this has now been established at: Yemen.Logs@logcluster.org All information-sharing and updates will utilize this address. All personnel interested in receiving and sharing logistics information are encouraged to subscribe to this mailing list. See below text box for information on subscribing.

5. Next Meeting

- Whilst the Customs Working Group will not be scheduled for regular meetings, the aim is to take this issue forward as soon as is practical. The next meeting will therefore be determined from initial developments on the above Action Points, and can be called by any of the participants

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Abbreviations Used:

UNDSS UN Department of Safety and Security
OCHA Office for the Coordination of Humanitarian Affairs
WFP World Food Programme
INGOF International Non-Government Organization Forum
GoY Government of Yemen