



MYANMAR NATIONAL SINGLE WINDOW TECHNICAL ASSISTANCE

Final Needs Assessment Report v0.1

July 2018

This publication was produced by Nathan Associates Inc. for review by the United States Agency for International Development.

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COMPILED FOR
USAID

UNDER CONTRACT
AID-486-C-13-00004
ASEAN Connectivity through Trade and Investment (US-ACTI)

SUBMITTED BY
Nathan Associates Inc.

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Acronyms and Definitions

ACDD	ASEAN Customs Declaration Document
ACTI	ASEAN Connectivity through Trade and Investment
AEO	Authorized Economic Operator
ALU	Analytical Laboratory Unit
AMS	ASEAN Member States
ASEAN	Association of Southeast Asian Nations
AS1	1 st Acknowledgement Status Message – from ASW (Export) to NSW (Export)
AS3	3 rd Acknowledgement Status Message – from NSW (Import) to ASW (Import)
ASCP	ASEAN Sanitary and Phytosanitary Contact Point
ASW	ASEAN Single Window
ASWSC	ASEAN Single Window Steering Committee
ATIGA	ASEAN Trade in Goods Agreement
CAR	Cancel Request Message – from NSW (Export) to NSW (Import)
CIA	Certificate Issuing Agency
CMP	Cut-Make-Pack
DICA	Directorate of Investment and Company Administration
DOA	Department of Agriculture
DOF	Department of Fisheries
e-AH	Electronic Animal Health
e-ATIGA	Electronic ATIGA (as in e-ATIGA Form D)
e-CO	Electronic Certificate of Origin
e-FS	Electronic Food Safety
e-Phyto	Electronic Phytosanitary
EU	European Union
FDA	Food and Drug Administration
FTP	File Transfer Protocol
GCC	Gulf Cooperation Council
GHA	Ground Handling Agent
GIZ	German Organization for International Cooperation
GMP	Good Manufacturing Practice
HACCP	Hazard Analysis and Critical Control Points
ICT	Information and Communications Technology

ICU	Inspection and Certification Unit
IELPS	Import-Export License and Permit System
IPPC	International Plant Protection Conventions
JICA	Japan International Cooperation Agency
JMS	Java Message Service
LBVD	Livestock Breeding and Veterinary Department
MACCS	Myanmar Automated Cargo Clearance System
MCD	Myanmar Customs Department
MFN	Most-Favored Nation
MITS	Myanmar Inspection and Testing Services
MOALI	Ministry of Agriculture, Livestock and Irrigation
MOC	Ministry of Commerce
MOHS	Ministry of Health and Sports
MOI	Ministry of Industry
MOPF	Ministry of Planning and Finance
MOTC	Ministry of Transport and Communications
MPU	Myanmar Payment Unit
NACCS	Nippon Automated Cargo and Port Clearance System
NRMP	National Residue Monitoring Plan
NSW	National Single Window
OIE	World Organization for Animal Health
PCA	Post Clearance Audit
PPD	Plant Protection Division
PRA	Pest Risk Analysis
PSDA	Private Sector Development Activity
QCRS	Quality Control and Research Section
QRR	Query Response Message – from NSW (Export) to NSW (Import)
QRY	Query Message – from NSW (Import) to NSW (Export)
RES	e-ATIGA Form D Response Message – from NSW (Import) to NSW (Export)
R&D	Research and Development
SEZ	Special Economic Zone
SPS	Sanitary and Phytosanitary
TOR	Terms of Reference
TRACES	Trade Control and Expert System

TWG	Technical Working Group
USAID	United States Agency for International Development
XML	Extensible Markup Language

1 Executive Summary

This report was prepared by the Consultant engaged to provide technical assistance to Myanmar, as part of the ASEAN Connectivity through Trade and Investment (US-ACTI) program, funded by the United States Agency for International Development (USAID). The technical assistance was requested by the Myanmar Customs Department (MCD), via the ASEAN Secretariat, and has been supported in collaboration with the Myanmar-based USAID Private Sector Development Activity (PSDA).

Since April 2017, five (5) ASEAN Member States (AMS), Indonesia, Malaysia, Singapore, Thailand and Viet Nam, have been piloting the exchange of electronic Certificates of Origin via the ASEAN Single Window (ASW). From January 2018, they plan to move to "live operation", when importers in these countries will no longer be required to present paper Certificates of Origin to Customs. Brunei Darussalam, Cambodia and the Philippines are also preparing to join the ASW live operation in 2018, leaving only Lao PDR and Myanmar outside of the system.

The primary objective of the report is to carry out a needs assessment to ensure that Myanmar joins the ASW live operation by **1 January 2019**. During the assessment, the Consultant conducted face-to-face interviews with the key stakeholders of Myanmar's National Single Window (NSW).

1.1 Key Findings

The key findings of the report on the status of preparations to join the ASW are:

- Myanmar's NSW Steering Committee was first established in 2008 and reformed in 2015.
- MCD is the lead agency for the NSW.
- On the 12th November 2016, the MCD launched its new customs clearance system, known as the Myanmar Automated Cargo Clearance System (MACCS), which was based on the Japan Customs' Nippon Automated Cargo and Port Clearance System (NACCS).
- To date, seven (7) other ministries / departments have been integrated into MACCS; the Department of Trade under the Ministry of Commerce (MOC); the Myanmar Port Authority (MPA) under the Ministry of Transport and Communications (MOTC); the Livestock, Breeding and Veterinary Department (LBVD), the Department of Agriculture (DOA) and the Department of Fisheries (DOF), which all fall under the Ministry of Agriculture, Livestock and Irrigation (MOALI); the Food and Drugs Administration (FDA) under the Ministry of Health and Sports (MOHS) and; the Myanmar Economic Bank (MEB) under the Ministry of Planning and Finance (MOPF).
- When import declarations are submitted to MACCS, shipments of interest to the LBVD, the DOA, the DOF and the FDA are routed to the "YELLOW" lane, and put on hold, to allow the relevant agencies to conduct their own reviews and inspections. The MCD will not release the shipment unless the approval has been given by the relevant agency.

- The relevant agencies make recommendations to the MOC to issue Import / Export Licenses for controlled commodities. For imports, 40% of the total tariff lines require a license.
- In 2004, the MOC launched an online licensing system called the Import-Export License and Permit System (IELPS), which has continued to be developed over time.
- Exporters can apply for Import / Export Licenses online via the Myanmar TradeNet portal¹. For those commodities requiring a recommendation, importers / exporters must present it to the MOC in person, together with their payment. For the 43 commodities that do not require a recommendation, importers / exporters can apply through the fully online system, which allows them to make their payment through the MOC's e-Payment Gateway.
- Currently, the application process for certificates is manual in all ministries / departments, which includes; ATIGA Form Ds, Phytosanitary Certificates, Veterinary (Animal Health) Certificates and Food Safety Certificates.
- The MOC is developing an online electronic Certificate of Origin (e-CO) system, supported by the European Union (EU) - German Organization for International Cooperation (GIZ).
- The MCD is developing a blueprint for a fully functional NSW, supported by the World Bank.

1.2 Readiness Assessment

Based on the feedback received through face-to-face interviews and responses to questionnaires, an assessment of Myanmar's readiness to join the ASW live operation has been made.

The assessment can be summarized by answering three (3) simple questions, as outlined below.

1.2.1 What is the current status of Myanmar's NSW?

In 2015, Myanmar's NSW Steering Committee was reformed, having been established in 2008. As the lead agency for Myanmar's NSW, the MCD started by implementing a customs clearance system. The system, MACCS, was launched on the 12th November 2016.

More recently, the MCD has decided to develop a Customs Data Warehouse. The new system will be able to receive and store a variety of documents, in an electronic format, and will be used by MCD to support the processing of import declarations.

On the 16th December 2015, Myanmar also ratified² the Trade Facilitation Agreement (TFA)³ of the World Trade Organization (WTO). In accordance with Article 10, Paragraph 4.1;

"Members shall endeavor to establish or maintain a single window, enabling traders to submit documentation and/or data requirements for importation, exportation, or transit of goods through a single entry point to the participating authorities or agencies. After the examination by the participating authorities or

¹ <http://www.myanmartradenet.com.mm/en/>

² <http://www.tfafacility.org/ratifications>

³ <http://www.tfafacility.org/trade-facilitation-agreement-facility>

agencies of the documentation and/or data, the results shall be notified to the applicants through the single window in a timely manner”

In fact, the term “Single Window” was first introduced by the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT). With reference to its website⁴, UN/CEFACT “Serves as the focal point for trade facilitation recommendations and electronic business standards, covering both commercial and government business processes that can foster growth in international trade and related services”.

In July 2005, UN/CEFACT published UNECE Recommendation 33⁵; “Recommendation and Guidelines on establishing a Single Window: to enhance the efficient exchange of information”. The recommendation defines a Single Window as;

“A facility that allows parties involved in trade and transport to lodge standardized information and documents with a single entry point to fulfil all import, export, and transit-related regulatory requirements. If information is electronic, then individual data elements should only be submitted once”

Existing systems in Myanmar do not meet the definition of a Single Window, as Myanmar currently has several “entry points”, including; MACCS for the submission of cargo reports and Import / Export Declarations and; the Myanmar TradeNet portal for the application of Import / Export Licenses.

In the context of the ASW, the application process for all types of export certificates is still manual.

1.2.2 What would Myanmar need to do to join the ASW live operation?

The ATIGA Form D is a paper-based Certificate of Origin which allows importers to claim preferential rates under the ASEAN Trade in Goods Agreement (ATIGA). The “e-ATIGA Form D” is the electronic equivalent of the ATIGA Form D, which can be sent electronically via the ASW by the Certificate Issuing Agency (CIA) in the exporting country to the Customs authority in the importing country, thereby removing the need for the paper document. This is referred to as the ASW live operation.

In order for Myanmar to join the ASW live operation, as a minimum, there are essentially four pre-requisite conditions that would need to be satisfied:

- 1) Firstly, Myanmar must be able to demonstrate that it has a fully developed, and tested, system for the online application of ATIGA Form Ds, including the ability to output e-ATIGA Form Ds.
- 2) Secondly, Myanmar must be able to demonstrate that it has a system capable of receiving e-ATIGA Form Ds, to enable Customs officers to view an equivalent of paper-based ATIGA Form Ds.
- 3) Thirdly, Myanmar must have implemented a “routing platform” (i.e. a basic NSW) capable of sending and receiving electronic documents to / from the agencies’ systems and the ASW.

⁴ <https://www.unece.org/cefact/>

⁵ https://www.unece.org/fileadmin/DAM/cefact/recommendations/rec33/rec33_trd352e.pdf

- 4) Fourthly, to connect to the ASW, Myanmar must implement an ASW Gateway, in compliance with the agreed ASW Gateway technical specifications.

In addition to the above, Myanmar should also consider exchanging electronic export information, in the form of a harmonized ASEAN Customs Declaration Document (ACDD), and internationally aligned electronic Sanitary and Phytosanitary (e-SPS) Certificates, as agreed by the AMS.

A plan for accomplishing this is set out in Section 1.3 below.

1.2.3 What level of technical assistance would Myanmar need?

It is the Consultant's assessment that, in order for Myanmar to join the ASW live operation, technical assistance could be provided in a number of areas by the following organizations:

- European Union (EU) – GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit)
To develop an online Certificate of Origin (CO) system, including the e-ATIGA Form D
- United States Agency for International Development (USAID)
 - Private Sector Development Activity (PSDA)
To develop a routing platform and an online e-SPS Certificate system
 - ASEAN Connectivity through Trade and Investment (ACTI)
To install an ASW Gateway to enable Myanmar to connect to the ASW
- Japan International Cooperation Agency (JICA)
To make enhancements to the MACCS system to support the exchange of ACDDs
- World Bank
To develop a blueprint for a fully functional NSW

1.3 Recommendations

Based on the findings above, the Consultant recommends that Myanmar consider a three-phased approach to joining the ASW. The first phase (Phase 1) would be to establish the necessary basic functionality within the MOC and the MCD to electronically send outgoing, and process incoming, Certificates of Origin with other ASEAN Member States.

The second phase (Phase 2) would use the architecture established in Phase 1 to exchange ACDDs and e-SPS Certificates via the ASW, where the latter effort would require significant development of new systems to issue e-SPS Certificates.

The third phase (Phase 3) would involve the process that the World Bank has already begun i.e. to develop a fully functional NSW. The work completed in Phase 1 and Phase 2 would be a natural basis on which to build an NSW once the World Bank blueprint is complete.

The three phases are described in more detail below.

1.3.1 Phase 1: To facilitate the exchange of e-ATIGA Form Ds via the ASW

In Phase 1, as shown in Figure 1, exporters would be able to apply for e-ATIGA Form Ds via an e-CO system. When approved by the MOC, e-ATIGA Form Ds would be sent to the Customs authority in the importing AMS via a routing platform, the ASW Gateways and the NSW of the importing AMS. On receipt of an e-ATIGA Form D, the Customs authority in the

importing AMS would return an acknowledgement response and a utilization report to the MOC via the e-CO system.

In addition to sending e-ATIGA Form Ds, the e-CO system and/or routing platform must also be able to support the sending and receipt of five (5) other message types, as defined in the ASW's "e-ATIGA Form D Process Specification and Message Implementation Guide". This includes; the receipt of Acknowledgement Status (AS1) messages from the ASW Gateway; the receipt of e-ATIGA Form D Response (RES) messages from the importing AMS; the receipt of Query (QRY) messages from the importing AMS; the sending of Query Response (QRR) messages to the importing AMS and; the sending of Cancel Request (CAR) messages to the importing AMS.

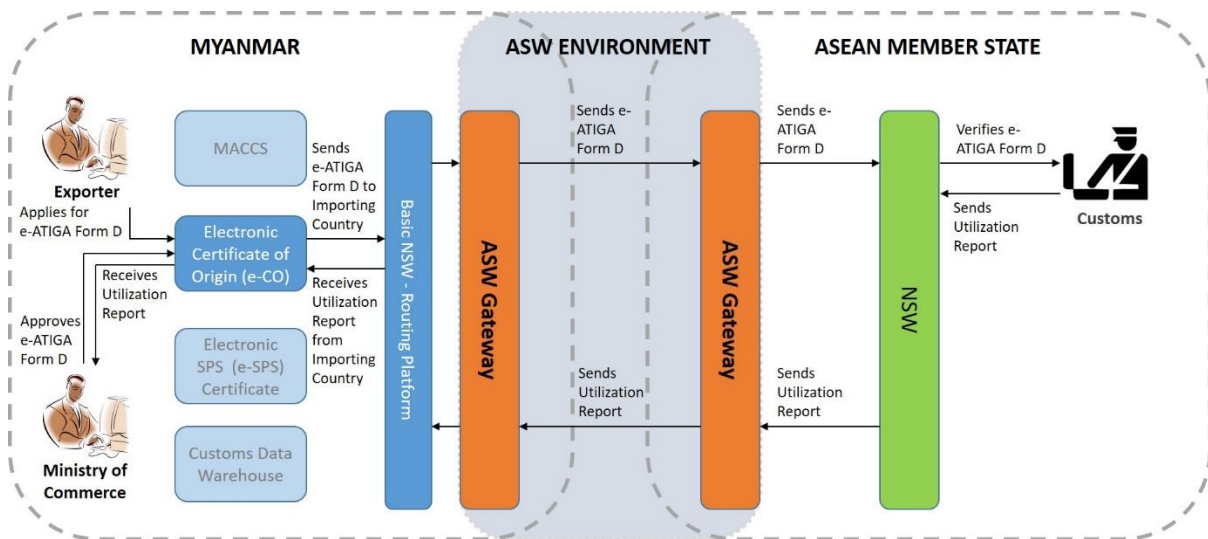


Figure 1 – High Level Process for Sending e-ATIGA Form Ds via the ASW

In the case of imports into Myanmar, as shown in Figure 2, exporters would apply for e-ATIGA Form Ds from the relevant CIA through the NSW of the exporting AMS, which would then be sent to the MCD via the ASW Gateways, a routing platform and a Customs Data Warehouse, which is currently being developed by MCD. On receipt of an e-ATIGA Form D, the MCD would return a response to the CIA in the exporting AMS.

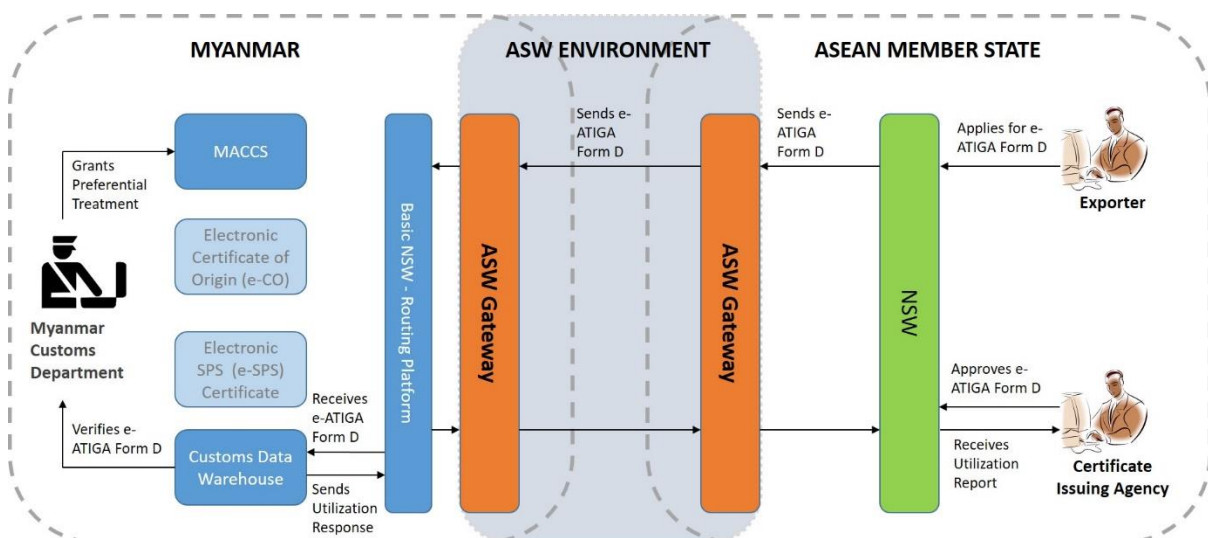


Figure 2 – High Level Process for Receiving e-ATIGA Form Ds via the ASW

In addition to receiving e-ATIGA Form Ds, the Customs Data Warehouse and/or routing platform must also be able to support the sending and receipt of five (5) other “message” types, as defined in the ASW’s “e-ATIGA Form D Process Specification and Message Implementation Guide”. This includes; the sending of Acknowledgement Status (AS3) messages to the ASW Gateway; the sending of e-ATIGA Form D Response (RES) messages to the exporting AMS; the sending of Query (QRY) messages to the exporting AMS; the receipt of Query Response (QRR) messages from the exporting AMS and; the receipt of Cancel Request (CAR) messages from the exporting AMS.

1.3.2 Phase 2: To facilitate the exchange of new documents via the ASW

In Phase 2, following the successful implementation of the e-ATIGA Form D, the AMS have already agreed to exchange additional documents, including; the electronic ASEAN Customs Declaration Document (ACDD) and e-SPS Certificates, more specifically the electronic Phytosanitary (e-Phyto) Certificate, the electronic Animal Health (e-AH) Certificate and the electronic Food Safety (e-FS) Certificate.

It is therefore proposed that the scope of Phase 2 would cover both the ACDD and e-SPS Certificates.

ASEAN Customs Declaration Document (ACDD)

At the time of writing this report, seven (7) of the participating AMS have agreed to exchange ACDDs in 2018, including; Brunei Darussalam, Cambodia, Indonesia, Malaysia, the Philippines, Thailand and Viet Nam. Singapore is in the process of upgrading its NSW, so it will be joining at a later date.

The purpose of the ACDD is for the AMS to exchange export information to support the importing AMS’ risk management processes. In Myanmar’s case, this would involve extending the routing platform to include the exchange of ACDDs, as shown in Figure 3.

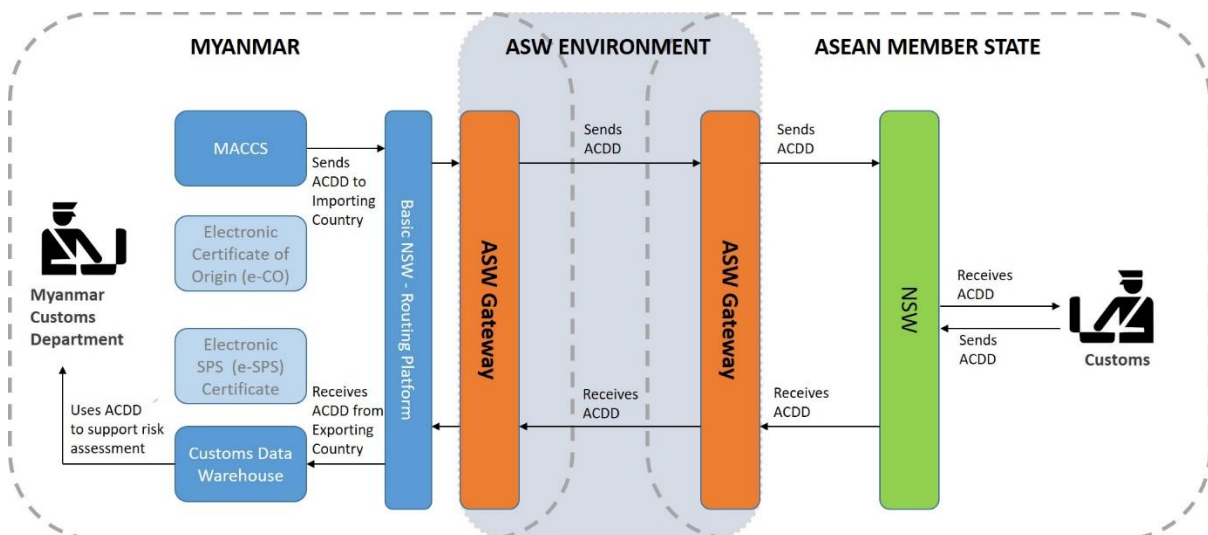


Figure 3 – High Level Process for Sending and Receiving ACDDs via the ASW

For exports, a facility would need to be developed within MACCS to populate and generate ACDDs with export information, ideally by extracting the information from the export

declaration. ACDDs would then be sent to the relevant Customs authority in the importing AMS via the routing platform, the ASW Gateways and the NSW of the importing AMS. On receipt of an ACDD, the Customs authority in the importing AMS would return an acknowledgement response to MACCS.

For imports, the relevant Customs authority in the importing AMS would send ACDDs to the MCD via the NSW of the importing AMS, the ASW Gateways and the routing platform. The ACDDs received by the routing platform could then be sent to the MCD, and stored in the Customs Data Warehouse, to support its risk management activities.

Electronic Sanitary and Phytosanitary (e-SPS) Certificates

In addition to ACDDs, the AMS have also agreed to exchange e-SPS Certificates based on international standards. As shown in Figure 4, this would involve developing a new system to enable exporters to apply for e-SPS Certificates online and extending the routing platform to include e-SPS Certificates.

The new system would also enable e-SPS Certificates to be reviewed and approved online by the respective agencies, namely; the DOA for the approval of Phytosanitary Certificates, the LBVD and the DOF for the approval Animal Health Certificates and the FDA for the approval of Food Safety Certificates.

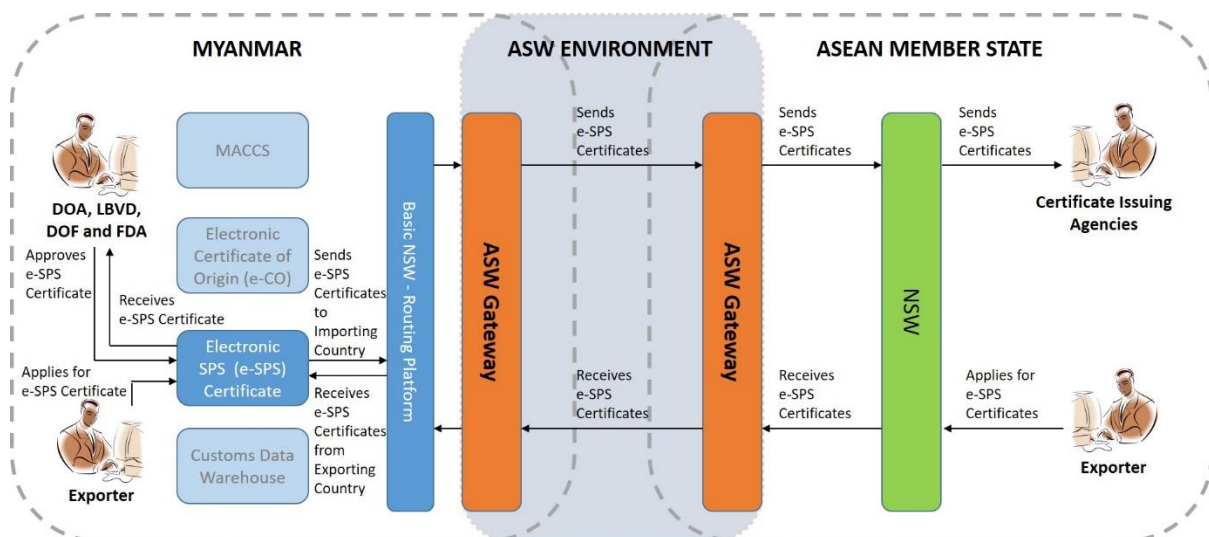


Figure 4 – High Level Process for Sending and Receiving e-SPS Certificates via the ASW

1.3.3 Phase 3: To implement a fully functional NSW

In Phase 3, the main objective would be to implement a fully functional NSW, which is expected to be defined by a blueprint to be developed by the MCD with support from the World Bank.

While it is not within the scope of this report, it is understood that MCD’s vision for a fully functional NSW is to implement a platform for the “single submission” of all documents and data required for domestic border clearance, whereas the scope of Phases 1 and 2 is limited to the implementation of a basic NSW to enable the exchange of export information i.e. ACDDs, e-ATIGA Form Ds and e-SPS Certificates. Therefore, the funding required to implement the basic NSW will be much lower than the funding required to implement the fully functional NSW.

It is recommended that the application process for Import and Export Licenses should be covered in Phase 3, particularly the manual processes for applying for recommendation letters from the relevant agencies, including the DOA, the LBVD, the DOF and the FDA.

1.3.4 Proposed Timeline

The activities and proposed timeline for implementing Phases 1, 2 and 3 are shown in Table 1.

Table 1: Activities and Proposed Timeline

Phase	Activity	Owner	Supported By	Timeline
1	To facilitate the exchange of e-ATIGA Form Ds via the ASW			
	Development of an e-CO system	MOC	EU-GIZ	Jan – Jun 2018 ("Go" / "No Go" Decision to be made by 31 March)
	Development of the Data Warehouse	MCD	-	
	Development of a routing platform	MCD	USAID – PSDA	
	Installation of an ASW Gateway	MCD	USAID – ACTI	Jul – Nov 2018
	Testing with participating AMS	MCD & MOC	USAID – PSDA	
Go Live	MCD & MOC	USAID – PSDA	Jan 2019	
2	To facilitate the exchange of new documents via the ASW			
	Enhancements to MACCS for ACDD	MCD	JICA	Jul – Dec 2018
	Development of e-SPS Certificate System	MOALI	USAID – PSDA	
Testing the Exchange of ACDD and e-SPS	MCD, MOALI & MOH	USAID - PSDA	Jan – Jun 2019	
3	To implement a fully functional NSW			
	Development of an NSW Blueprint	MCD	World Bank	TBC

It should be noted that, as the US-ACTI program will be ending on the 3rd December 2018 and the testing with 8-9 participating AMS would be expected to take several months, Myanmar's progress would need to be reviewed in March 2018. During this review, a "go" / "no go" decision would need to be made by the US-ACTI program and USAID as to whether they would be able to support the installation of the ASW Gateway given the progress of other activities.

2 Introduction

On the 20th December 2006, ministers of the ASEAN Member States signed a “Protocol to Establish and Implement the ASEAN Single Window”, which was defined as *“The environment where National Single Windows of Member Countries operate and integrate”*. Further, it defines a National Single Window (NSW) as *“a system which enables:*

- i. a single submission of data and information;*
- ii. a single and synchronous processing of data and information; and*
- iii. a single decision-making for customs release and clearance of cargo. A single decision-making shall be uniformly interpreted as a single point of decision for the release of cargoes by the Customs on the basis of decisions, if required, taken by Line ministries and agencies and communicated in a timely manner to the Customs”*

The purpose of this report is to carry out an assessment on the current status of Myanmar’s NSW, in order to recommend the best approach for Myanmar to join the ASW live operation.

The report that follows includes the “Terms of Reference” (Section 3), the “Methodology Used” (Section 4), Myanmar’s “Compliance with the NSW Readiness Questionnaire” (Section 5) and the Consultant’s “Detail Findings” (Section 6).

3 Terms of Reference

This section outlines the Terms of Reference (TOR) for this report.

3.1 Activity Background & Justification

In 2005, ASEAN Member States committed to developing National Single Windows that would then be integrated into the ASEAN Single Window, a system for sharing information on regional trade transactions. Currently four ASEAN Member States are sharing certificates of origin (Form D) on a trial basis and they, along with two additional AMS (Vietnam and Brunei) will likely begin the official exchange of Form Ds in mid-2017. Further, two more Member States (Cambodia and the Philippines) are working on developing/upgrading their NSW to enable them to join the ASW Live Operation by the end of 2017. Additional information on export declarations and SPS certificates are scheduled to be exchanged by the end of the 2017 and early 2018. Lao PDR and Myanmar have yet to establish their National Single Window.

Meanwhile, Myanmar has requested, via the ASEAN Secretariat, the US-ACTI to provide technical assistance in conducting National Single Window needs assessment and ASW/NSW briefing to Myanmar's cargo clearance stakeholders. The main purpose of the technical assistance request is to assist Myanmar's government officials on ICT project management, review the degree to which existing customs, certificate of origin, and SPS systems are capable of being integrated through a basic NSW system, and connected to the ASW platform within the next year to 18 months. In addition, other activities would include assessment of existing operational ICT applications, evaluating the compatibility of the ICT infrastructure and providing technical recommendations, if needed, to improve or upgrade the existing ICT system to ensure successful integration with ASW platform.

3.2 Objectives, Activities, Deliverables & Indicators

The objective of this activity is to assist the NSW/ASW team to plan and coordinate the development and implementation of basic NSW in compliance with the Government's commitment to improve trade facilitation in the region. Further, it will be important for the stakeholders in Myanmar to be informed and updated on NSW lessons learned from other Member States, to ensure efficient collaboration and co-operation in the development of their NSW platform.

The specific goals of this assessment are to:

- Assess the compliance of Myanmar with the agreed NSW readiness questionnaire, which specifies the technical and legal requisites to join the ASW live operation;*
- Review the Certificate of Origin issuance process of the Ministry of Commerce and required collaboration among responsible agencies, specifically the Customs Authority of Myanmar and the Ministry of Commerce;*
- Review the processes in various agencies for the issuance of SPS certificates and the collaboration between those agencies and their Customs Authority;*
- Evaluate the readiness of their Customs system to accept and respond to electronic certificates of origin and to the exchange export declaration information through the ACDD.*

- *Raise awareness of the ASW and NSW setup, amongst government officers and the private sector;*
- *Come up with recommendations on how to strengthen the close cooperation and coordination between the Customs Authority and relevant government agencies; and*
- *Identify needs to support and expedite the development of the ATIGA Form D application, which would include the Certifying Issuing Agency, Customs, and Traders modules to comply with the agreed ATIGA Form D message implementation guide and process specifications;*

3.3 Tasks

The Consultant will prepare a comprehensive written assessment report that will include:

- *Task 1: A description of the methodology to be used;*
- *Task 2: An assessment of Myanmar's compliance on the agreed NSW readiness questionnaire, which specifies the technical and legal requisites to join the ASW live operation;*
- *Task 3: A needs assessment, including recommendations on how to strengthen the close cooperation and coordination between their Customs Authority and relevant government agencies, address the technical gaps, and expedite the development of the ATIGA Form D application;*
- *Task 4: Recommended activities and proposed timeline to enable Myanmar to join the ASW live operation.*

This activity will be carried out in collaboration with their NSW Team and other government officials. The ACTI Resource Expert shall conduct face-to-face interviews and ASW/NSW briefings to government officials and key representatives of the private sector, together with the ACTI ASW lead, from 24 July to 4 August 2017. Follow-up activities will be conducted by the consultant with the interviewed officials, however, if there's a need to conduct another ASW briefing and face-to-face interviews, this will be arranged with Myanmar's NSW Team.

A preliminary needs assessment report will be submitted by the Consultant on 31 August 2017 for review by Myanmar's NSW Team by 08 September 2017. Presentation of the preliminary report will be conducted to Myanmar's Single Window stakeholders on 31 October 2017.

3.4 Deliverables

The following deliverables are required for this activity:

- *Deliverable 1: A summary outcome presentation of the face-to-face interviews with cargo clearance stakeholders from 31 July – 4 August 2017, including Customs and the relevant government agencies, will be held on **4 August 2017**.*

- *Deliverable 2: A preliminary assessment report for review and comment by Myanmar officials will be submitted by the Consultant by **08 September 2017**, which will include an assessment of the readiness of Myanmar to join the ASW live operation;*
- *Deliverable 3: Presentation of the preliminary assessment report (i.e. Deliverable 2) to Myanmar cargo clearance stakeholders on **31 October 2017**;*
- *Deliverable 4: A draft final needs assessment report will be submitted by the Consultant by **6 November 2017**, which will incorporate the comments provided by Myanmar's stakeholders during the preliminary report presentation (Deliverable 3);*
- *Deliverable 5: A final assessment report will be submitted by **15 November 2017**;*

3.5 Sponsoring Bodies

ASEAN Single Window Steering Committee (ASWSC), ASW Technical Working Group (ASW TWG), ASEAN Sanitary and Phytosanitary Contact Points (ASCP).

4 Methodology Used

4.1 Questionnaires

In order to carry out an assessment of Myanmar's compliance with the agreed NSW Readiness Questionnaire, and to carry out a needs assessment, individual questionnaires were prepared for the key stakeholders. These questionnaires included all of the questions in the agreed NSW Readiness Questionnaire, which were mostly technical in nature, and also more general questions relating to the export certificates, such as:

- Who would be the main contact for further questions, if needed?
- What is your level of awareness of the NSW?
- What is your level of awareness of the ASW?
- What is the ministry's role in the clearance of goods?
- Does the ministry issue any certificates for export? If so, what types?
- How do exporters apply for certificates?
- What supporting documents are required?
- Does the ministry charge fees for certificate applications?
- Does the ministry have an IT system for processing certificate applications?
- How long does it normally take to process certificate applications?

The initial objective of the questionnaires was to seek feedback from the stakeholders prior to the face-to-face interviews, to allow time for the Consultant to clarify the answers and to follow up with further questions during the interviews.

4.2 Face-to-Face Interviews

Arrangements were made for the Consultant to meet with the key stakeholders from Monday, 31st July 2017 to Thursday, 3rd August 2017. The initial outcomes from the mission, along with a briefing on the ASW, were to be presented to invited stakeholders on Friday, 4th August 2017 in Yangon.

Table 2: Schedule for Face-to-Face Interviews

Date	Time	Meeting With	Location
Monday 31 st July 2017	13:30	Ministry of Commerce - Department of Trade	Nay Pyi Taw
Wednesday 2 nd August 2017	09:00	Ministry of Agriculture, Livestock and Irrigation - Livestock Breeding and Veterinary Department	Nay Pyi Taw
	11:30	Ministry of Agriculture, Livestock and Irrigation - Department of Agriculture	Nay Pyi Taw
	13:30	Ministry of Health and Sports - Food and Drug Administration	Nay Pyi Taw
Thursday 3 rd August 2017	10:00	Ministry of Planning and Finance - Customs Department	Yangon
	15:00	Ministry of Agriculture, Livestock and Irrigation - Department of Fisheries	Yangon
Friday 4 th August 2017	09:00	De-Briefing	Yangon

5 Compliance with NSW Readiness Questionnaire

In order to assess whether Myanmar is ready to join the ASW live operation, questions from the agreed NSW Readiness Questionnaire were included in the questionnaires provided to the MCD and the MOC. Although many of the questions in the NSW Readiness Questionnaire are technical in nature, there are also some questions relating to the business process of the ATIGA Form D.

During the face-to-face interviews with Customs, the Consultant attempted to complete the NSW Readiness Questionnaire on Myanmar's behalf, which is provided in detail below.

5.1 AMS Contact Details

This section requires each AMS to provide details of the key contacts that will be involved in the ASW live operation. Table 3 provides the answers for Myanmar.

Table 3: Details of the key contacts for the ASW live operation

No.	Item	Response
1	AMS Project Manager A central coordination point and the "go to person" for all the AMS preparation items and on-going matters related to the Development and Live Implementation of the ASEAN Single Window (ASW) Software for the exchange of the ATIGA CO Form D Project.	To be decided
2	AMS Technical Operator (ASW / NSW) Responsible for the technical operation of the NSW and ASW Gateway, including access to network and security staff to assist in port and firewall management to allow communication to/from the ASW Gateway. CPA and certificates management and all other technical and security operations related to the ASW Gateway and NSW.	To be decided
3	AMS ATIGA Form D / Utilization (Dept. of Trade) Expert Responsible during the end-to-end test, parallel test and live operation for the handling of the ATIGA Form D on the export side (e.g. Dept. of Foreign Trade)	Ms. Shwe Sin Oo Deputy Director Rules of Origin Section Regional Economic Cooperation Division Department of Trade <i>Email: sso2004@gmail.com</i>
4	AMS ATIGA Form D Cross Checking (Customs) Expert	Ms. Ohnmar Win Assistant Director HS Section

No.	Item	Response
	Responsible during the end-to-end test, parallel test and live operation for the handling of the ATIGA Form D and generation of the Utilization Report on the import side (e.g. Customs)	<i>Email: ounmarwinpe@gmail.com</i>
5	VPT - IT Representatives	To be decided

5.2 Address for Installation of ASW Gateway Environments

This section requires each AMS to provide the physical addresses where the ASW Gateway will be installed. Table 4 provides the answers for Myanmar.

Table 4: Details of the key contacts for the ASW live operation

No.	Item	Response
1	Which of the following environments will the ASW Gateway be deployed in (production, standby, test or)	To be decided
2	Physical Name and Address of the Development / Test Environment where the ASW Gateway Software will be deployed	To be decided
3	Name and address (physical) of where the Production Environment of the ASW Gateway Software will be deployed	To be decided
4	Physical Name and Address of the Standby Environment where the ASW Gateway Software will be deployed	To be decided

5.3 Current Practice of ATIGA Form D across border

This section requires each AMS to provide detailed information on the current business process for the ATIGA Form D. Table 5 provides the answers for Myanmar.

Table 5: Current business process for ATIGA Form D

No.	Item	Response
	Certificate (ATIGA Form D) Issuing Agency	
1	What are the required documents needed by the CIA from the exporter to approve the application of a New ATIGA Form D?	The following documents are required when applying for an ATIGA Form D: <ul style="list-style-type: none"> • Invoice • Bill of Lading / Airway Bill (after shipment) • Export License • Export Declaration
2	What's the procedure for CIA to replace or cancel an issued ATIGA Form D? Any supporting documents required?	The exporter must take the original ATIGA Form D to the MOC, when a new certificate will be issued with the same reference number.

No.	Item	Response
		There is an amendment fee of 1,000 Kyats (approx. US\$0.75).
3	Is the CIA currently notified about the status of the ATIGA Form D from the importing customs end?	Every year, the MOC has to inform the ASEAN Secretariat of specimen signatures. If Customs in the importing country has any concerns, they will contact the MOC.
4	If yes to Q3, does CIA currently record the status from the importing Customs of the ATIGA Form D in the system?	Not applicable
	Customs	
5	How does the Customs officer check the paper ATIGA Form D against Import Customs Declaration now?	The goods are examined and if the details on the ATIGA Form D and the import declaration match, then preferential treatment is given. If any of the details are incorrect, preferential treatment is not given.
6	How does the Customs record that an ATIGA Form D has been 'utilized'? (so it won't be resubmitted again for other import declaration)	In the new system, MACCS, ATIGA Form Ds must be scanned and uploaded as attachments to import declarations.
7	Can one ATIGA Form D be used for multiple Customs Declaration?	No. The ATIGA Form Ds can only cover one import declaration.
8	Related to Q6, if there is a remaining quantity of an ATIGA Form D, how does the Customs record that and reconcile that in the next Import Customs Declaration?	If the quantity being imported is lower than the quantity on the ATIGA Form D, the importer must apply for permission from Customs in advance. Any remaining quantity will not receive preferential treatment.
9	If an ATIGA Form D was found 'unmatched' with the import declaration, what will be the actions taken by the customs officer? (for instance, the Customs may still clear the goods by collecting the import duty from the importer; and later allow the importer to claim for duty draw back while Replaced ATIGA Form D is filed)	If the details on the ATIGA Form D do not match (see question 5), the Most-Favoured Nation (MFN) rate is given instead of the preferential ATIGA rate. However, if the ATIGA Form D is re-submitted, the importer can claim a refund.
10	If what explained in Q9 describes the scenario in your country, how many days does the Customs allow for the duty draw back upon receipt of the Replacement ATIGA Form D?	Customs allow up to one (1) year for the duty draw back upon receipt of a replacement ATIGA Form D.
11	Does the Customs send back status message of the paper ATIGA Form D to the issuing agency?	In some cases, Customs email the issuing agency, including providing reasons for rejections.

5.4 Readiness of ATIGA Form D Related Applications

5.4.1 ATIGA Form D Process

This section requires each AMS to provide detailed information on the readiness of the CIA and Customs to exchange the electronic ATIGA Form D, in terms of the business process. Table 6 provides the answers for Myanmar.

Table 6: Readiness to exchange the ATIGA Form D, in terms of the business process

No.	Item	Response
	Certificate (ATIGA Form D) Issuing Agency	
1	How many issuing agencies in your country are responsible for issuing ATIGA Form D?	The MOC are the only agency who can issue ATIGA Form Ds.
2	Is there a single central repository to store all the approved and issued ATIGA Form D?	There is no central repository. ATIGA Form Ds can be issued by any of the 17 sub-division / branches of the MOC, who each keep their own records.
3	Is the central repository located in the NSW?	Not applicable
4	Is the central repository interfaced or integrated with the NSW?	Not applicable
5	How many ATIGA Form D's are issued every month to the other participating Member States (roughly)	Approximately 500 to 600 per month. The number of ATIGA Form Ds issued has been increasing annually e.g. in FY 2015/16, the total was 4,400 and in FY 2016/2017, the total was 6,500.
	Customs	
6	How many ATIGA Form D's are received every month from the other participating Member States (roughly)	Approximately 800 to 900 per month. The number of ATIGA Form Ds received has been increasing annually e.g. in 2015, the total number was 6,665 and in 2016, the total was 9,967.

5.4.2 Application Readiness

This section requires each AMS to provide detailed information on the readiness of the CIA and Customs to exchange the electronic ATIGA Form D, in terms of having the necessary IT systems. Table 7 provides the answers for Myanmar.

Table 7: Readiness to exchange the ATIGA Form D, in terms of IT systems

No.	Item	Response
	Certificate (ATIGA Form D) Issuing Agency	
1	Is there an IT system in production now or under development (to be ready by December 2017), for electronic application and approval of ATIGA Form D (Export / Dept. of Trade or similar)?	No, but the MOC has plans to develop an e-CO system, so this facility could be included.
2	Is there an IT system in production now or under development (to be ready by December 2017), for handling electronic replacement / cancellation following electronic application and	No, but the MOC has plans to develop an e-CO system, so this facility could be included.

No.	Item	Response
	approval of ATIGA Form D (Export / Dept. of Trade or similar)?	
3	Is there an IT system in production now or under development (to be ready by December 2017), for receiving electronic utilization status information?	No, but the MOC has plans to develop an e-CO system, so this facility could be included.
	Customs	
4	Is there an IT system in production now or under development (to be ready by December 2017), for receiving electronic ATIGA Form D?	Yes, the MCD are currently developing a Customs Data Warehouse for storing supporting documents, including the ATIGA Form D.
5	Is there an IT function in production now or under development (to be ready by December 2017), for validation of the received electronic ATIGA Form D?	No
6	Is there an IT system in production now or under development (to be ready by December 2017), generating responses or acknowledgements after validating / utilization of the electronic ATIGA Form D?	No
7	Is there an IT system in production now or under development (to be ready by December 2017), for cross checking ATIGA Form D against Customs Declaration?	No
8	Does the Customs Declaration include a reference field for the ATIGA Form D so cross checking can be done?	Yes
9	Is there an IT system to display the received ATIGA Form D to the border customs officers?	No, not yet, but this will be provided as a feature of the Customs Data Warehouse.
10	Is there an IT system in production now or under development (to be ready by December 2017), for generating electronic utilization status information?	No

5.4.3 Test Status

This section requires each AMS to provide detailed information on the readiness of the CIA and Customs to exchange the electronic ATIGA Form D, in terms of testing with other AMS. Table 8 provides the answers for Myanmar.

Table 8: Readiness to exchange the ATIGA Form D, in terms of testing with other Member States

No.	Item	Response
	Certificate (ATIGA Form D) Issuing Agency	
1	Has the generation of ATIGA Form D (export) interface XML message by CIA System been tested?	No

No.	Item	Response
2	Has the receipt of response / acknowledgement messages (e.g. utilization status) interface XML message by the CIA application been tested?	No
3	Is there a Test Environment available for the CIA application and NSW?	No
Customs		
4	Has the receipt of ATIGA Form D (import) interface XML message by Customs system been tested?	No
5	Has the generation of acknowledgement messages by Customs System been tested?	No
6	Is there a Test Environment available for the Customs application and NSW?	No

5.5 Technical interface between NSW and ASW Gateway

This section requires each AMS to indicate their preferred means to interface with the ASW Gateway. Table 9 provides the answers for Myanmar.

Table 9: Preferred means to interface with the ASW Gateway

No.	Item	Response
	What sort of technical interface between the NSW and the ASW Gateway software is preferred? Please put "YES" beside the selected option	
1	JMS	To be decided
2	File System	To be decided
3	FTP	To be decided
4	Web Services – using NSW Web Services interface modules following the Web Services interface specification	To be decided

5.6 Reference Data – Code Sets

This section requires each AMS to state their requirements for the use of reference data, such as country codes and location codes. Table 10 provides the answers for Myanmar.

Table 10: Reference Data Requirements

No.	Item	Response
1	What Common Reference Data codes would you like to automatically access from Regional Services	To be decided
2	What National Reference Data Code Sets do you intend to publish to Regional Services for other AMS to	To be decided

No.	Item	Response
	view	
3	What National Reference Data Code Sets of other AMS would you like access to e.g. to support your Risk Management	To be decided
4	How will the integration be done between the Regional Services Reference Data and your Risk Management Systems – e.g. use of the Contractor provided Web Services agent for automatic extract?	To be decided

5.7 Preferred Operating System for the ASW Gateway

This section requires each AMS to state their preferred operating system requirements for the ASW Gateway. Table 11 provides the answers for Myanmar.

Table 11: Operating System Requirements

No.	Item	Response
	Which is the preferred Operating System and version on which the ASW Gateway Software will run?	
1	Test Environment	To be decided
2	Production Environment	To be decided
3	Standby Environment	To be decided

5.8 Hardware and Internet

This section requires each AMS to state their hardware and Internet requirements for the ASW Gateway. Table 12 provides the answers for Myanmar.

Table 12: Hardware and Internet Requirements

No.	Item	Response
1	Would you please advise which environments / and components are required as below and if required when the hardware will be available so that the ASW Gateway software can be installed and configured.	
1.1	ASW Gateway Test environment hardware	To be decided
1.2	ASW Gateway Production environment hardware	To be decided
1.3	ASW Gateway Standby environment hardware	To be decided
1.4	(Optional Reverse Proxy) Secure Relay Test environment hardware,	To be decided
1.5	(Optional Reverse Proxy) Secure Relay Production environment hardware	To be decided
1.6	(Optional Reverse Proxy) Secure relay	To be decided

No.	Item	Response
	Standby environment hardware	
2	Would you please confirm that Internet access is available from all environments	To be decided

5.9 AMS Resource, Support and Regulation Readiness

This section requires each AMS to provide additional information relating to support and regulation readiness. Table 13 contains the answers for Myanmar.

Table 13: Additional information relating to the support and regulation readiness

No.	Item	Response
1	Name of AMS	Myanmar
2	Is there internal agreement within the AMS to prepare for and conduct the end-to-end test?	To be decided
3	Have resources (project manager, CIA Expert; Customs expert; NSW/GW Technical expert) been assigned to prepare for and participate in the End-to-end Test? Please specify details	To be decided
4	If enhancements of existing internal applications is required, has the budget been approved and resources assigned for the development and internal testing	To be decided
5	Is there an internal support organization and procedures currently in place to help resolve user issues related to the operation of the CIA, NSW and Customs systems. If so, could these support organization and procedures be used for issues arising during the End-to-end Test and Parallel Test	To be decided
6	Are there any outstanding amendments to existing Customs or other Regulations necessary to make in order to launch the live project, if the ultimate goal is to eliminate paper submission of ATIGA Form D from the importer for customs clearance? If so, briefly summarize, with target date	Yes. According to Customs' Notification No. 13/2010, the ATIGA Form D must be presented when the declaration is submitted.

6 Detailed Findings

In order to carry out this needs assessment, the Consultant devised a questionnaire for the relevant agencies, which were completed during face-to-face interviews between the 31st July and the 4th August 2017.

6.1 Customs

The Myanmar Customs Department (MCD) is a department under the Ministry of Planning and Finance (MOPF). They are the lead agency responsible for Myanmar's NSW.

In 2015, having been established in 2008, Myanmar's NSW Steering Committee was reformed. Since then, MCD's focus has been on implementing its customs clearance system, called the Myanmar Automated Cargo Clearance System (MACCS). The system is based on Japan Customs' Nippon Automated Cargo and Port Clearance System (NACCS).

MACCS itself is not a fully functional NSW, because applications for Import / Export Licenses are made through the Myanmar TradeNet portal and processed by the MOC, while the initial request for licenses is a manual process through the relevant agency. However, in addition to the MCD, there are seven (7) other agencies using MACCS; the MOC (see Section 6.2), the MPA, the LBVD (see Section 6.3.1), the DOA (see Section 6.3.2), the DOF (see Section 6.3.3), the FDA (see Section 6.4.1) and the MEB. Some of these agencies use MACCS to register the results of inspections after the goods arrive at the port, including; the LBVD, the DOA, the DOF and the FDA.

Prior to arrival, Shipping Agents send cargo manifest information to the port, then the port sends the information to MACCS. For air cargo, however, the Ground Handling Agents (GHAs) upload cargo information directly to MACCS. Customs also send cargo releases to the port electronically.

When Customs Declarations are submitted to MACCS, shipments of interest to the MCD may be sent to the "RED" lane for inspection. For example, vehicles or milk powder from China may be sent to the "RED" lane, while milk powder from New Zealand may be sent to the "YELLOW" lane.

Shipments of interest to any of the agencies listed above are routed to the "YELLOW" lane and are put on hold for inspection by the relevant agency. When a shipment arrives, the MCD checks that the documentation is in order, including the license and recommendation letter, which can be scanned and uploaded to MACCS. The importer then has to request for an inspection from the relevant agency, such as the FDA. Until the relevant agency gives its approval through MACCS, the shipment will not be cleared by Customs.

For shipments originating from another AMS, importers may claim preferential treatment by selecting "ATIGA" in MACCS and uploading a scanned copy of the ATIGA Form D. The MCD will check the document manually. However, there are two types of products; "wholly obtained products" and "not wholly obtained products". For "wholly obtained products", preferential treatment may be given within a half-day, but for "not wholly obtained products", the case must be sent to the Ministry of Industry (MOI), which could take up to 5 working days.

It is also worth noting that the MCD are planning to implement an Authorized Economic Operator (AEO) scheme, whereby shipments will be routed to a “BLUE” lane for Post Clearance Audit (PCA).

Website: <http://www.myanmarcustoms.gov.mm/>

6.2 Ministry of Commerce (MOC)

The Ministry of Commerce (MOC) is responsible for issuing Import / Export licenses, as well as Certificates of Origin.

6.2.1 Import and Export Licenses

In the case of Import / Export Licenses, the MOC issues licenses based on recommendations by other agencies, such as the LBVD (see Section 6.3.1), the DOF (see Section 6.3.3) and the FDA (see Section 6.4).

There are two online processes for applying for licenses; the “Semi-Online System” and the “Fully Online System”. In both cases, exporters / importers can apply for licenses online using the Myanmar TradeNet portal. Applications are then sent to the MOC’s back-end system, known as the Import-Export License and Permit System (IELPS).

In the “Semi-Online System”, once the application for a license has been submitted, the applicant must take the recommendation letter (from the relevant agency) to the MOC and pay an application fee of 2,500 Kyats (approx. US\$1.85). If the application is successful, the MOC will issue the license, when the applicant must also pay a license fee. In the future, there is a plan to allow the applicant to upload the recommendation letter online.

In the “Fully Online System”, there are 48 commodities that do not require a recommendation letter and, under these circumstances, the applicant can pay the application fee online. If the application is successful, the applicant can also pay the license fee online.

The MOC’s electronic payment (e-Payment) system was integrated with KBZ Bank in June 2017, allowing applicants to pay online using their Myanmar Payment Unit (MPU) card, available from all banks in Myanmar. Applicants just need to enter their debit card details to make the payment.

6.2.2 Certificates of Origin

The MOC is also responsible for issuing Certificates of Origin, including ATIGA Form Ds, but the application process is currently manual.

Please note that the current process for issuing ATIGA Form Ds is covered in Section 5 “Compliance with NSW Readiness Questionnaire”.

Website: <http://www.commerce.gov.mm/>

6.3 Ministry of Agriculture, Livestock and Irrigation (MOALI)

Under the Ministry of Agriculture, Livestock and Irrigation (MOALI), three (3) departments have been identified as key stakeholders of Myanmar’s National Single Window; the Livestock Breeding and Veterinary Department (LBVD), the Department of Agriculture (DOA), and the Department of Fisheries (DOF).

Website: <http://www.moali.gov.mm/>

6.3.1 Livestock Breeding and Veterinary Department (LBVD)

The LBVD is responsible for animal health care, disease control and activities of animal breeding and production in line with Animal Health and Development Law (1993). It is responsible for issuing Veterinary Health Certificates and making recommendations to the MOC to issue Import / Export Licenses.

Website: <http://www.lbvd.gov.mm/>

6.3.1.1 Exports

The application process for Veterinary Health Certificates and recommendation letters for Export Licenses is currently manual. Exporters have to apply directly to the LBVD, together with the relevant supporting documents, which usually includes; Invoices, Sales Contracts, Recommendations from Myanmar Livestock Federation and the Directorate of Investment and Company Administration (DICA) under the Ministry of Planning and Finance (MOPF).

Veterinary Health Certificates

There is no administration fee for Veterinary Health Certificate applications, but there is a small charge of 100 Kyat (approx. US\$0.07) for the application form, a fee for the inspection, which is mandatory for all commodities, and charges for laboratory analysis (if applicable). The inspection fee is dependent on type of commodity and quantity, which the LBVD are in the process of publishing to ensure transparency.

Typically, inspections involve taking samples and waiting for the result. Once approved, the LBVD will issue a Veterinary Health Certificate and a recommendation letter for an Export License. Recommendation letters are valid for 3 months, during which time they must apply for the Export License.

The LBVD issue approximately 500 Veterinary Health Certificates for exports annually.

The LBVD expressed an interest in exchanging electronic Animal Health Certificates with other AMS.

Export Licenses

The MOC require both the Veterinary Health Certificate and the recommendation letter before they will issue an Export License. The application process usually takes between 7 to 10 working days.

Export Licenses are valid for an initial 3 months, but they can be extended for up to 6 months, firstly an additional 2 months and then an additional 1 month. During this period, they can be used for multiple shipments, but the exporter must apply for a new certificate in each case, which are linked to the original using a suffix to the certificate number (e.g. 1A, 1B, 1C). For example, the LBVD may issue a recommendation letter for 100 metric tons of rawhide, which will allow the exporter to export multiple shipments. If the exporter wants to export more, they have to apply for a new certificate.

It should be noted that Export Licenses are currently not required for pets. However, the LBVD would like to change the regulations to allow exporters to export up to only 4-5 dogs or cats without an Export License.

The LBVD issues approximately 500 recommendation letters for Export Licenses annually.

6.3.1.2 Imports

Import Licenses

The application process for Import Licenses, also issued by the MOC, is currently manual. For most commodities under the LBVD's control, importers must obtain a recommendation letter from the LBVD before they can apply for an Import License. When applying for an Import License, importers must provide evidence of a Veterinary Health Certificate, which can just be a copy. However, on arrival, they must provide the original certificate.

The LBVD are also responsible for textiles made from animal products, such as duck down, goose down and raccoon fur. In such cases, the importer must apply for a Cut-Make-Pack (CMP) recommendation letter from the Myanmar Garment Manufacturer's Association (MGMA). This is required by the MOC when applying for an Import License.

The Customs' MACCS system is now being used to ensure that the importer has a valid Import License. However, not all importers are using the MACCS system. Most textile companies, and some meat companies, are using the MACCS system to upload their supporting documents, including Veterinary Health Certificates and CMP recommendation letters, but there are still importers who prefer to present their supporting documents to Customs manually. Customs are working with these companies to encourage them to use MACCS. In cases where the importer does not have a valid Import License, Customs will refer the shipment to the MOC, who will contact the LBVD if required.

On arrival, the LBVD check both the Import License and the original Veterinary Health Certificate. The importer must provide a sample for laboratory testing, then the LBVD will provide a laboratory test report. If the laboratory test is successful, the LBVD will issue its own Import Health Certificate, otherwise the importer must destroy the goods.

For live animals and animal products, Customs clear the goods first, then the goods are moved to a warehouse. The LBVD carry out 100% physical inspections by taking a sample, send it for a laboratory test and produce a laboratory report. If the tests are successful, the goods can be released. If the animals need to be quarantined, as there are no facilities at the port or airport, the LBVD will ask the importer to quarantine them at their own farm. The LBVD also have quarantine areas at the Special Economic Zone (SEZ) in Thilawa and at Myawaddy, which are fully functional for import and export. They also plan to open a quarantine area at Muse for exports to China, which is under development, particularly for cattle e.g. buffalo. At present, there are no imports of live animals from China.

Currently, the LBVD do not have any IT systems, or an IT department, as they have no funding. However, they do have internet access and they are very keen to implement an IT system.

The LBVD issue approximately 2,000 recommendation letters for Import Licenses annually.

6.3.2 Department of Agriculture (DOA)

The Plant Protection Division (PPD) within the DOA is responsible for the import / export of plants and products, including protecting Myanmar from the entry of pests and diseases. The PPD is also responsible for issuing Phytosanitary Certificates for exports and issues its own Import Health Certificates.

Website: <http://www.ppdmyanmar.org/>.

6.3.2.1 Exports

Phytosanitary Certificates (for Export)

The application process for Phytosanitary Certificates is currently manual. Exporters have to apply directly to the PPD, together with the Company Registration document. Some countries require an import permit to be provided, as part of their entry conditions e.g. India used to require it.

Although the application process for Phytosanitary Certificates is manual, Myanmar are using the same system as Cambodia, Lao PDR and Viet Nam to issue Phytosanitary Certificates, which was developed by Viet Nam. The PPD has been using this system since 2010 and, prior to that, it was using software developed by New Zealand.

When exporters apply for a Phytosanitary Certificate, the PPD usually carry out a visual inspection first and may also take a sample. If pests are not found in the sample, and the commodities meet with the importing countries requirements, the PPD will issue a Phytosanitary Certificate.

There is an administration fee for Phytosanitary Certificate applications, which is dependent on the quantity. For quantities between 1 to 100 metric tonnes, the fee is 3,000 Kyats (approx. US\$2.20); for quantities between 101 to 500 metric tonnes, the fee is 5,000 Kyats (approx. US\$3.70) and; for quantities over 500 metric tonnes, the fee is 10,000 Kyats (approx. US\$7.40). Usually, Phytosanitary Certificates are issued within 24 hours.

The PPD issue approximately 20,000 Phytosanitary Certificates annually (80 per day).

6.3.2.2 Imports

Import Health Certificates

For imports, before importers can import plants or plant products, they must send a questionnaire to the exporting country. The PPD will carry out a Pest Risk Analysis (PRA) based on the answers to the questionnaire. Depending on the PRA, the PPD may issue an Import Health Certificate, which is checked by Customs. There is an administration fee of 2,000 (approx. US\$1.50) per certificate, which is currently under review. Usually, Import Health Certificates are issued within 3 working days.

The PPD is also using the Customs' MACCS system. If there are commodities of interest to the PPD, Customs will put the shipment on hold to enable the PPD to carry out an inspection. The PPD carries out 100% inspections and has inspection stations at 10 land border posts and 2 airports. Most inspections are visual, but in some cases it may be necessary to send a sample to the laboratory in Yangon. Usually, an inspection may take up to 5 working days. The results of inspections are reported directly to Customs through MACCS.

The PPD issue approximately 7,500 Import Health Certificates annually (30 per day).

6.3.3 Department of Fisheries (DOF)

The DOF is divided into four (4) divisions; the Research and Development (R&D) Division; the Fisheries Management Division; the Aquaculture Division and; the Administration and Financial Division. It is responsible for primary products, especially frozen, chilled, dried and live fish.

For frozen, chilled and dried fish, under the Research and Development (R&D) Division, there is a section called the Quality Control and Research Section (QCRS), which has two (2) units; the Inspection and Certification Unit (ICU) and the Analytical Laboratory Unit (ALU). The ICU is responsible for the monitoring and control of processing establishments, for issuing Health Certificates and making recommendations to the MOC to issue Import Licenses. The ALU is responsible for carrying out laboratory tests (microbiological and chemical) on fish and fishery products.

For live fish and feed, the Aquaculture Division is responsible for issuing Health Certificates and making recommendations to the MOC to issue Import Licenses.

The DOF is also responsible for issuing Health Certificates for the export of live fish and fish products, and other certificates such as Zoo Sanitary Certificates which are required by Canada. The type of certificate required depends on the importing country e.g. China, the European Union (EU) and the Gulf Cooperation Council (GCC) countries. The DOF also issue licenses for manufacturing establishments in Myanmar.

Website: <http://www.dof.gov.mm/>

6.3.3.1 Exports

Health Certificates (for Export)

For the application of Health Certificates, exporters have to apply directly to the ICU, together with the relevant supporting documents, which usually includes; Proforma Invoices, Sales Contracts, Certificate of Origins (Non-Preferential), Photographs of Products (if needed), Company Import / Export Licenses and Company Registration documents.

The ICU also grants factory licenses, while the Aquaculture Division grants fish farm licenses. The ICU carries out regular inspections on factories according the DOF's Inspection and Quality Control Manual, which complies with the Hazard Analysis and Critical Control Points (HACCP) international guidelines. In addition, importing countries have their own standards, e.g. EU, GCC, China. The ICU has a database system (developed by the EU), which includes regular inspection results, using a template developed by EU called the National Residue Monitoring Plan (NRMP). If needed for aquaculture products, exporters must also provide their factory / fish farm licenses when applying for Health Certificates.

For exports to the EU, the application process for Health Certificates is mostly manual, but some exporters are using a system called the Trade Control and Expert System (TRACES), which was developed by the EU-GIZ, a German federal enterprise which supports the EU's international cooperation. The EU-GIZ has provided training to exporters on TRACES, but most companies have had problems with staff turnover, so the system has not realized its full potential.

The TRACES system allows accredited importers, importing into the EU, to enter details of the products online, which are used to inform the relevant authority in the EU member states pre-arrival. The DOF also use the TRACES system to approve and print Health Certificates, in the relevant language. The printed Health Certificate is sent to Nay Pyi Taw to be signed by an authorized official within 3 working days. On arrival in the EU, the importer must present the signed Health Certificate to the relevant authority.

For exports to other countries, the application process for Health Certificates is manual. Exporters have to apply directly to the ICU in Yangon, together with their supporting documents.

There are a laboratory charges for Health Certificate applications, which depend on the importing country's requirements, but there are no administration fees for Health Certificates.

The ICU issues approximately 6,000 Health Certificates annually.

Export Licenses

Currently, Export Licenses are not required for fishery products, except for shrimp bran, when the exporter must apply for a recommendation letter from the ICU at the DOF.

6.3.3.2 Imports

Import Licenses

For imports, the importer must apply for a recommendation letter from the DOF, which is sent Nay Pyi Taw to be signed by the authorized person (Director). The DOF send the recommendation letter to the MOC to issue an Import License, and also provide a copy to the importer.

The DOF is also using the Customs' MACCS system. When the goods arrive at the port (air or sea), the importer will inform the DOF and upload their supporting documents to MACCS. The DOF check that the importer has all the required documents. As there are no storage facilities at the port (air or sea), the products are sent to the importer's premises and sealed. The DOF test the products and provide laboratory test results. Once the laboratory tests result are provided, the DOF will agree for the products to be imported through the MACCS system.

6.4 Ministry of Health and Sports (MOHS)

Under the Ministry of Health and Sports (MOHS), the Food and Drug Administration (FDA) has been identified as one of key stakeholders of Myanmar's National Single Window.

6.4.1 Food and Drug Administration (FDA)

The FDA is responsible for the safety and quality of food, drugs, medical devices and cosmetics. It is also responsible for issuing Food Safety Certificates for pre-packaged products / processed foods, in accordance with international CODEX standards.

6.4.1.1 Exports

Food Safety Certificates

The application process for Food Safety Certificates is currently manual. Exporters have to apply directly to the FDA, together with the relevant supporting documents, which usually includes; Invoice, Sales Contract, Good Manufacturing Practice (GMP) Certificate and Company Registration document.

When exporters apply for a Food Safety Certificate, the FDA takes samples and send them to a laboratory for testing, which incurs a fee of up to 3,000 Kyats (approx. US\$2.20). Before the FDA issue the certificate, they make a recommendation to the MOC for issuing an Export License, which is also required as further supporting document for the certificate application. If successful, the FDA will issue a certificate. The application process usually takes up to 16 working days, or less.

The FDA is also using the Customs' MACCS system. If there are commodities of interest to the FDA, Customs will put the shipment on hold to enable the FDA to carry out an

inspection. The FDA's inspections are carried out by the Myanmar Inspection and Testing Services (MITS). If the testing is successful, the FDA may then give its approval for release and enter the result into MACCS.

Website: <http://www.fdamyanmar.gov.mm/>

7 Readiness Assessment

Based on the feedback received through face-to-face interviews and responses to questionnaires, an assessment of Myanmar's readiness to join the ASW live operation has been made.

The assessment can be summarized by answering three (3) simple questions, as outlined below.

7.1 What is the current status of Myanmar's NSW?

In 2015, Myanmar's NSW Steering Committee was reformed, having been established in 2008. As the lead agency for Myanmar's NSW, the MCD started by implementing a customs clearance system. The system, MACCS, was launched on the 12th November 2016.

More recently, the MCD has decided to develop a Customs Data Warehouse. The new system will be able to receive and store a variety of documents, in an electronic format, and will be used by MCD to support the processing of import declarations.

On the 16th December 2015, Myanmar also ratified⁶ the Trade Facilitation Agreement (TFA)⁷ of the World Trade Organization (WTO). In accordance with Article 10, Paragraph 4.1;

"Members shall endeavor to establish or maintain a single window, enabling traders to submit documentation and/or data requirements for importation, exportation, or transit of goods through a single entry point to the participating authorities or agencies. After the examination by the participating authorities or agencies of the documentation and/or data, the results shall be notified to the applicants through the single window in a timely manner"

In fact, the term "Single Window" was first introduced by the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT). With reference to its website⁸, UN/CEFACT "Serves as the focal point for trade facilitation recommendations and electronic business standards, covering both commercial and government business processes that can foster growth in international trade and related services".

In July 2005, UN/CEFACT published UNECE Recommendation 33⁹; "Recommendation and Guidelines on establishing a Single Window: to enhance the efficient exchange of information". The recommendation defines a Single Window as;

"A facility that allows parties involved in trade and transport to lodge standardized information and documents with a single entry point to fulfil all import, export, and transit-related regulatory requirements. If information is electronic, then individual data elements should only be submitted once"

Existing systems in Myanmar do not meet the definition of a Single Window, as Myanmar currently has several "entry points", including; MACCS for the submission of cargo reports

⁶ <http://www.tfafacility.org/ratifications>

⁷ <http://www.tfafacility.org/trade-facilitation-agreement-facility>

⁸ <https://www.unece.org/cefact/>

⁹ https://www.unece.org/fileadmin/DAM/cefact/recommendations/rec33/rec33_trd352e.pdf

and Import / Export Declarations and; the Myanmar TradeNet portal for the application of Import / Export Licenses.

In the context of the ASW, the application process for all types of export certificates is still manual.

7.2 What would Myanmar need to do to join the ASW live operation?

The ATIGA Form D is a paper-based Certificate of Origin which allows importers to claim preferential rates under the ASEAN Trade in Goods Agreement (ATIGA). The “e-ATIGA Form D” is the electronic equivalent of the ATIGA Form D, which can be sent electronically via the ASW by the Certificate Issuing Agency (CIA) in the exporting country to the Customs authority in the importing country, thereby removing the need for the paper document. This is referred to as the ASW live operation.

In order for Myanmar to join the ASW live operation, as a minimum, there are essentially four pre-requisite conditions that would need to be satisfied:

- 5) Firstly, Myanmar must be able to demonstrate that it has a fully developed, and tested, system for the online application of ATIGA Form Ds, including the ability to output e-ATIGA Form Ds.
- 6) Secondly, Myanmar must be able to demonstrate that it has a system capable of receiving e-ATIGA Form Ds, to enable Customs officers to view an equivalent of paper-based ATIGA Form Ds.
- 7) Thirdly, Myanmar must have implemented a “routing platform” (i.e. a basic NSW) capable of sending and receiving electronic documents to / from the agencies’ systems and the ASW.
- 8) Fourthly, to connect to the ASW, Myanmar must implement an ASW Gateway, in compliance with the agreed ASW Gateway technical specifications.

In addition to the above, Myanmar should also consider exchanging electronic export information, in the form of a harmonized ASEAN Customs Declaration Document (ACDD), and internationally aligned electronic Sanitary and Phytosanitary (e-SPS) Certificates, as agreed by the AMS.

A plan for accomplishing this is set out in Section 1.3 below.

7.3 What level of technical assistance would Myanmar need?

It is the Consultant’s assessment that, in order for Myanmar to join the ASW live operation, technical assistance could be provided in a number of areas by the following organizations:

- European Union (EU) – GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit)
To develop an online Certificate of Origin (CO) system, including the e-ATIGA Form D
- United States Agency for International Development (USAID)
 - Private Sector Development Activity (PSDA)
To develop a routing platform and an online e-SPS Certificate system

- ASEAN Connectivity through Trade and Investment (ACTI)
To install an ASW Gateway to enable Myanmar to connect to the ASW
- Japan International Cooperation Agency (JICA)
To make enhancements to the MACCS system to support the exchange of ACDDs
- World Bank
To develop a blueprint for a fully functional NSW

8 Recommendations

Based on the findings above, the Consultant recommends that Myanmar consider a three-phased approach to joining the ASW. The first phase (Phase 1) would be to establish the necessary basic functionality within the MOC and the MCD to electronically send outgoing, and process incoming, Certificates of Origin with other ASEAN Member States.

The second phase (Phase 2) would use the architecture established in Phase 1 to exchange ACDDs and e-SPS Certificates via the ASW, where the latter effort would require significant development of new systems to issue e-SPS Certificates.

The third phase (Phase 3) would involve the process that the World Bank has already begun i.e. to develop a fully functional NSW. The work completed in Phase 1 and Phase 2 would be a natural basis on which to build an NSW once the World Bank blueprint is complete.

The three phases are described in more detail below.

8.1 Phase 1: To facilitate the exchange of e-ATIGA Form Ds via the ASW

In Phase 1, as shown in Figure 1, exporters would be able to apply for e-ATIGA Form Ds via an e-CO system. When approved by the MOC, e-ATIGA Form Ds would be sent to the Customs authority in the importing AMS via a routing platform, the ASW Gateways and the NSW of the importing AMS. On receipt of an e-ATIGA Form D, the Customs authority in the importing AMS would return an acknowledgement response and a utilization report to the MOC via the e-CO system.

In addition to sending e-ATIGA Form Ds, the e-CO system and/or routing platform must also be able to support the sending and receipt of five (5) other message types, as defined in the ASW's "*e-ATIGA Form D Process Specification and Message Implementation Guide*". This includes; the receipt of Acknowledgement Status (AS1) messages from the ASW Gateway; the receipt of e-ATIGA Form D Response (RES) messages from the importing AMS; the receipt of Query (QRY) messages from the importing AMS; the sending of Query Response (QRR) messages to the importing AMS and; the sending of Cancel Request (CAR) messages to the importing AMS.

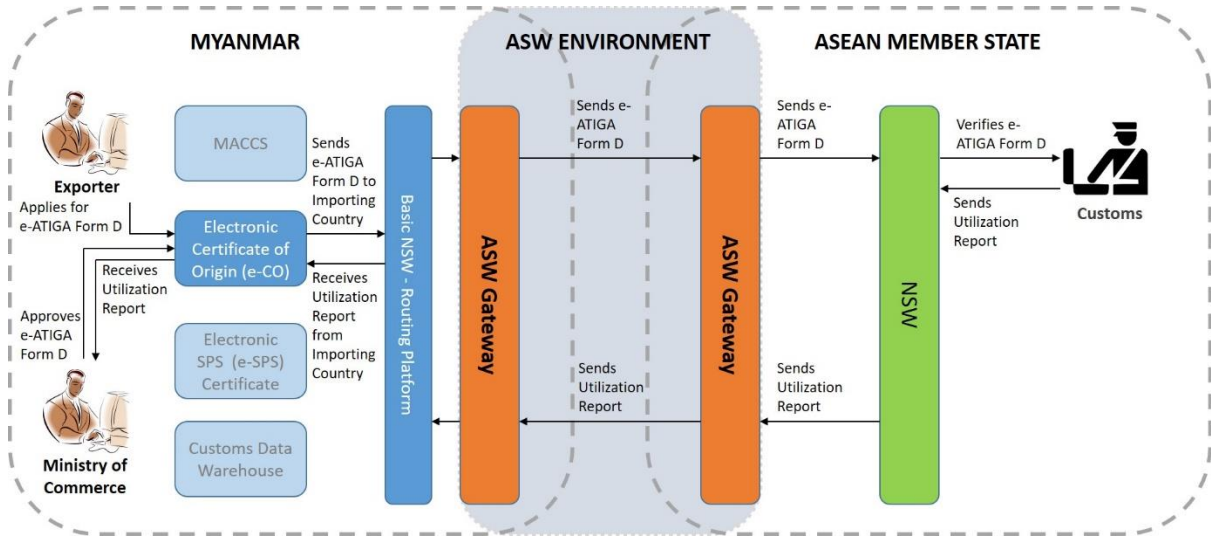


Figure 1 – High Level Process for Sending e-ATIGA Form Ds via the ASW

In the case of imports into Myanmar, as shown in Figure 2, exporters would apply for e-ATIGA Form Ds from the relevant Certificate Issuing Agency (CIA) through the NSW of the exporting AMS, which would then be sent to the MCD via the ASW Gateways, a routing platform and a Customs Data Warehouse, which is currently being developed by MCD. On receipt of an e-ATIGA Form D, the MCD would return a response to the CIA in the exporting AMS.

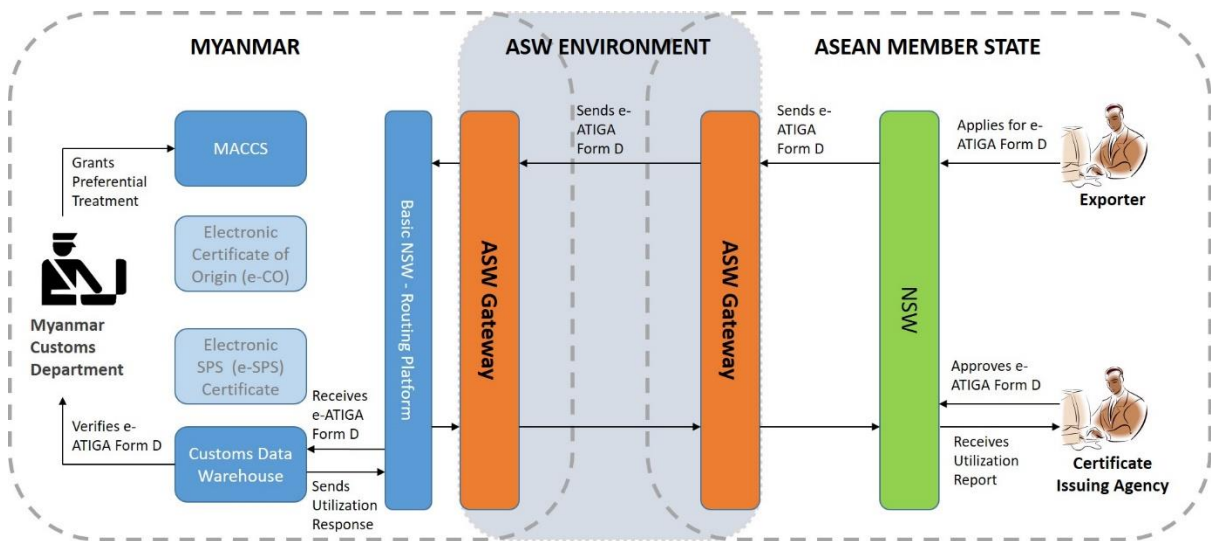


Figure 2 – High Level Process for Receiving e-ATIGA Form Ds via the ASW

In addition to receiving e-ATIGA Form Ds, the Customs Data Warehouse and/or routing platform must also be able to support the sending and receipt of five (5) other “message” types, as defined in the ASW’s “e-ATIGA Form D Process Specification and Message Implementation Guide”. This includes; the sending of Acknowledgement Status (AS3) messages to the ASW Gateway; the sending of e-ATIGA Form D Response (RES) messages to the exporting AMS; the sending of Query (QRY) messages to the exporting AMS; the receipt of Query Response (QRR) messages from the exporting AMS and; the receipt of Cancel Request (CAR) messages from the exporting AMS.

8.2 Phase 2: To facilitate the exchange of new documents via the ASW

In Phase 2, following the successful implementation of the e-ATIGA Form D, the AMS have already agreed to exchange additional documents, including; the electronic ASEAN Customs Declaration Document (ACDD) and e-SPS Certificates, more specifically the electronic Phytosanitary (e-Phyto) Certificate, the electronic Animal Health (e-AH) Certificate and the electronic Food Safety (e-FS) Certificate.

It is therefore proposed that the scope of Phase 2 would cover both the ACDD and e-SPS Certificates.

ASEAN Customs Declaration Document (ACDD)

At the time of writing this report, seven (7) of the participating AMS have agreed to exchange ACDDs in 2018, including; Brunei Darussalam, Cambodia, Indonesia, Malaysia, the Philippines, Thailand and Viet Nam. Singapore is in the process of upgrading its NSW, so it will be joining at a later date.

The purpose of the ACDD is for the AMS to exchange export information to support the importing AMS' risk management processes. In Myanmar's case, this would involve extending the routing platform to include the exchange of ACDDs, as shown in Figure 3.

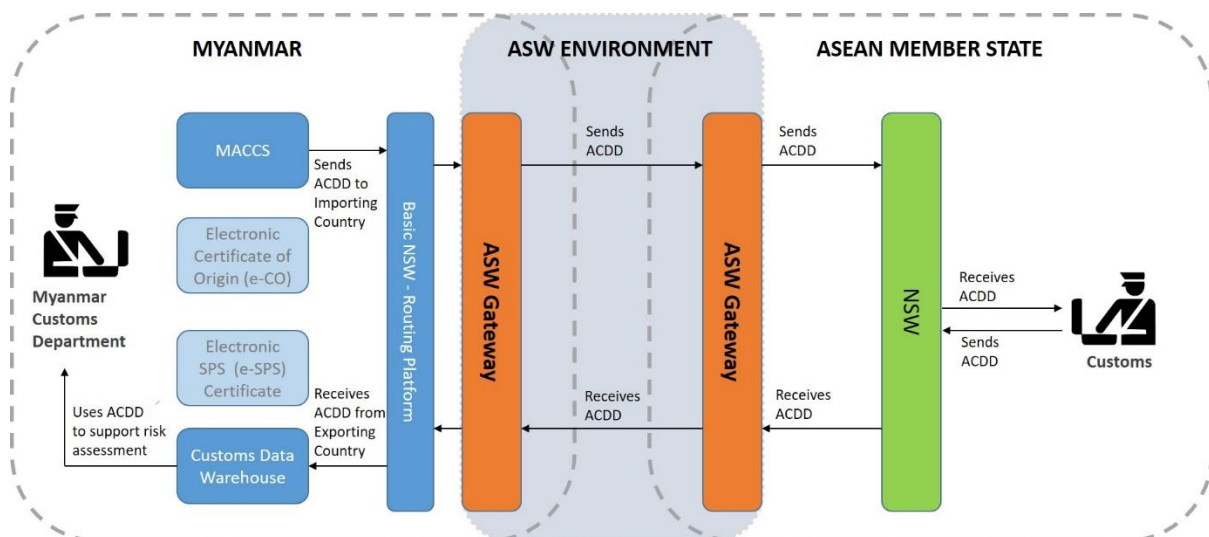


Figure 3 – High Level Process for Sending and Receiving ACDDs via the ASW

For exports, a facility would need to be developed within MACCS to populate and generate ACDDs with export information, ideally by extracting the information from the export declaration. ACDDs would then be sent to the relevant Customs authority in the importing AMS via the routing platform, the ASW Gateways and the NSW of the importing AMS. On receipt of an ACDD, the Customs authority in the importing AMS would return an acknowledgement response to MACCS.

For imports, the relevant Customs authority in the importing AMS would send ACDDs to the MCD via the NSW of the importing AMS, the ASW Gateways and the routing platform. The ACDDs received by the routing platform could then be sent to the MCD, and stored in the Customs Data Warehouse, to support its risk management activities.

Electronic Sanitary and Phytosanitary (e-SPS) Certificates

In addition to ACDDs, the AMS have also agreed to exchange e-SPS Certificates based on international standards. As shown in Figure 4, this would involve developing a new system to enable exporters to apply for e-SPS Certificates online and extending the routing platform to include e-SPS Certificates.

The new system would also enable e-SPS Certificates to be reviewed and approved online by the respective agencies, namely; the DOA for the approval of Phytosanitary Certificates, the LBVD and the DOF for the approval Animal Health Certificates and the FDA for the approval of Food Safety Certificates.

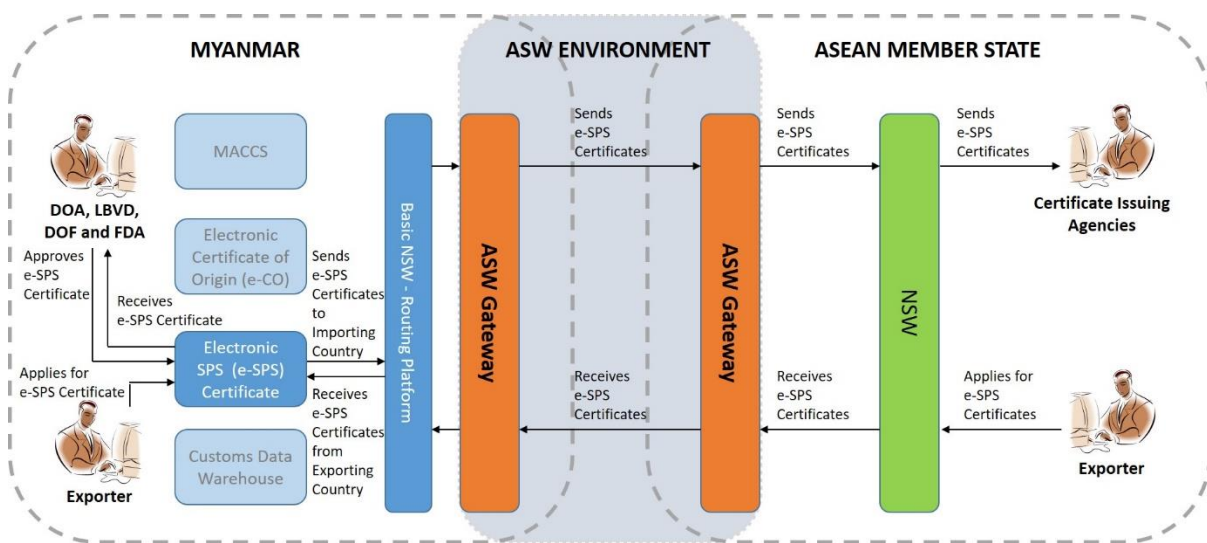


Figure 4 – High Level Process for Sending and Receiving e-SPS Certificates via the ASW

8.3 Phase 3: To implement a fully functional NSW

In Phase 3, the main objective would be to implement a fully functional NSW, which is expected to be defined by a blueprint to be developed by the MCD with support from the World Bank.

While it is not within the scope of this report, it is understood that MCD's vision for a fully functional NSW is to implement a platform for the "single submission" of all documents and data required for domestic border clearance, whereas the scope of Phases 1 and 2 is limited to the implementation of a basic NSW to enable the exchange of export information i.e. ACDDs, e-ATIGA Form Ds and e-SPS Certificates. Therefore, the funding required to implement the basic NSW will be much lower than the funding required to implement the fully functional NSW.

It is recommended that the application process for Import and Export Licenses should be covered in Phase 3, particularly the manual processes for applying for recommendation letters from the relevant agencies, including the DOA, the LBVD, the DOF and the FDA.

8.4 Proposed Timeline

The activities and proposed timeline for implementing Phases 1, 2 and 3 are shown in Table 1.

Table 1: Activities and Proposed Timeline

Phase	Activity	Owner	Supported By	Timeline
1	To facilitate the exchange of e-ATIGA Form Ds via the ASW			
	Development of an e-CO system	MOC	EU-GIZ	Jan – Jun 2018 ("Go" / "No Go" Decision to be made by 31 March)
	Development of the Data Warehouse	MCD	-	
	Development of a routing platform	MCD	USAID – PSDA	
	Installation of an ASW Gateway	MCD	USAID – ACTI	Jul – Nov 2018
	Testing with participating AMS	MCD & MOC	USAID – PSDA	
Go Live	MCD & MOC	USAID – PSDA	Jan 2019	
2	To facilitate the exchange of new documents via the ASW			
	Enhancements to MACCS for ACDD	MCD	JICA	Jul – Dec 2018
	Development of e-SPS Certificate System	MOALI	USAID – PSDA	
Testing the Exchange of ACDD and e-SPS	MCD, MOALI & MOH	USAID - PSDA	Jan – Jun 2019	
3	To implement a fully functional NSW			
	Development of an NSW Blueprint	MCD	World Bank	TBC

It should be noted that, as the US-ACTI program will be ending on the 3rd December 2018 and the testing with 8-9 participating AMS would be expected to take several months, Myanmar's progress would need to be reviewed in March 2018. During this review, a "go" / "no go" decision would need to be made by the US-ACTI program and USAID as to whether they would be able to support the installation of the ASW Gateway given the progress of other activities.

Acknowledgements

This report would not have been possible without the support and inputs of the stakeholders of Myanmar's National Single Window. The Consultant would like to thank the following organizations and individuals, especially those who organized the interviews and the key experts who helped to complete the questionnaires:

Myanmar Customs Department (MCD)

- Mr. Kyaw Htin
Director General
- Mr. Aung San Htun
Deputy Director General
- Mr. Maung Maung Htwe Swe
Director
Email: mgthts@gmail.com
- Mr. Win Myint
Director
Email: winmyint950@gmail.com
- Mr. Than Htike Soe
Assistant Director
Email: thanhtikesoecustoms@gmail.com
- Ms. Ohnmar Win
Assistant Director
HS Section
- Mr. Han Win Htoo
Customs Inspector
Email: Htoo.hanwinhtoo@gmail.com
- Mr. Arker Phyo
Deputy Customs Inspector
Email: arkerphyo92@gmail.com
- Ms. May Thandar Thant
Staff Officer
Email: thawdamay@gmail.com
- Ms. Hsu Mon Naing
Staff Officer
Email: sumonnaing.ygn.mm@gmail.com

Ministry of Commerce (MOC)

- Mr. Minn Minn
Deputy Director General
Department of Trade
Email: momocstar@gmail.com
- Ms. Tin San Yee
Director
Regional Economic Cooperation Division
Department of Trade

- Mr. Ko Ko Lay
Director
Information Communication Technology
Department of Trade
- Ms. Win Min Phyoe
Deputy Director
Regional Economic Cooperation Division
Department of Trade
Email: winmin.phyoe@gmail.com
- Ms. Shwe Sin Oo
Deputy Director
Regional Economic Cooperation Division
Department of Trade
Email: sso2004@gmail.com
- Mr. Myo Khaing Win
Deputy Director
Information Communication Technology
Department of Trade
Email: 41mkwin@gmail.com
- Ms. Ye Ye Lwin
Staff Officer
Department of Trade
Email: yiyilwin@gmail.com

Ministry of Agriculture, Livestock and Irrigation (MOALI)

- Mr. Ye Tint Tun
Director General
Department of Agriculture
Email: yesst842003@gmail.com, dgdoamm@gmail.com
- Mr. Aung Kyaw Oo
Director
Plant Protection Division
Department of Agriculture
Email: directorppddoa@gmail.com
- Mrs. Khin Mar Oo
Assistant Director
Plant Protection Division
Department of Agriculture
Email: shwemaroo@gmail.com
- Ms. Pyone Pyone Kyi
Deputy Director
Plant Protection Division
Department of Agriculture
Email: kyautpyone@gmail.com
- Ms. Ei Ei Zin
Staff Officer
Plant Protection Division

Department of Agriculture
Email: eieizin2802@gmail.com

- Ms. Ni Ni Maw
Deputy Director
Planning Section
Livestock Breeding and Veterinary Department
- Ms. Win Mi Htwe
Veterinary Officer
Planning Section
Livestock Breeding and Veterinary Department
- Ms. Mue Mue Khine
Deputy Director
Research and Disease Control
Livestock Breeding and Veterinary Department
- Ms. Nilar Kyaw
Research Officer
Export-Import Division
Livestock Breeding and Veterinary Department
Email: nilarkyaw87vet@gmail.com
- Ms. Theint Su Su Htet
Research Officer
Export-Import Division
Livestock Breeding and Veterinary Department
Email: susulbvd@gmail.com
- Ms. Mu Mu Myint
Assistant Director
Department of Fisheries
Email: dmmmyint@gmail.com
- Mr. Thet Naing
Deputy Director
Department of Fisheries
Email: thetnaingkatar@gmail.com
- Ms. May Zune Phyoe
Deputy Officer
Department of Fisheries
Email: mayzunphyo7@gmail.com

Ministry of Health and Sports (MOHS)

- Mr. Than Htut
Director General
Food and Drug Administration
Email: fdanpt1@gmail.com
- Mr. Tun Zaw
Director
Food Control Division
Food and Drug Administration
Email: tunzawdr@gmail.com

- Ms. Ohnmar Soe Win
Deputy Director
Food Control Division
Food and Drug Administration
Email: ohnmarsoew@gmail.com
- Ms. Theingi Zin
Director
Medical Control
- Ms. Khin Nyein Yee
Deputy Director
Planning Section
Food and Drug Administration
Email: neng@fdd.gov.la

USAID-funded Private Sector Development Activity (PSDA) for Myanmar

- Mr. Stephen Parker
Chief of Party
Email: sparker@nathaninc.com
- Ms. Naw Tsai Blut Moo (Ju Ju)
Senior Program Officer
Email: tmoo@nathaninc.com