

# The role of the World Customs Organization in advancing the objectives and plans of the World Trade Organization

El papel de la Organización Mundial de Aduanas en el avance de los objetivos y planes de la Organización Mundial de Comercio

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## Abstract:

In this study, the role of the World Customs Organization (WCO) in advancing the objectives and plans of the World Trade Organization (WTO), as its name implies, is the programs and regulations of the WCO which are aimed at promoting the goals of the WTO. One of the most important of them is to simplify and facilitate the international trade of goods globally. There were interactions between the two organizations since the General Agreement on Tariffs and Trade (GATT), which we will examine. The method of this research is descriptive. Using available resources in the Customs Libraries of the Islamic Republic of Iran and the Customs Education and Research Center of the Islamic Republic of Iran as well as the guidance of customs professors, all of which are among the leading customs experts of the Islamic Republic of Iran. In general, what we found in this study was that international trade facilitation could not be possible without the presence of the WCO, and the WTO needs the WCO and its assistance in this regard.

**Keywords:** World Customs Organization, World Trade Organization, Customs valuation Agreement, Rules of Origin, Harmonized System

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## Resumen:

En este estudio, el papel de la Organización Mundial de Aduanas (OMA) en la promoción de los objetivos y planes de la Organización Mundial de Comercio (OMC), como su nombre lo indica, son los programas y reglamentos de la OMA destinados a promover los objetivos de La OMC Uno de los más importantes es simplificar y facilitar el comercio internacional de bienes a nivel mundial. Hubo interacciones entre las dos organizaciones desde el Acuerdo General sobre Aranceles Aduaneros y Comercio (GATT), que examinaremos. El método de esta investigación es descriptivo. Uso de los recursos disponibles en las Bibliotecas de Aduanas de la República Islámica de Irán y el Centro de Educación e Investigación Aduanera de la República Islámica de Irán, así como la orientación de los profesores de aduanas, todos los cuales se encuentran entre los principales expertos en aduanas de la República Islámica de Irán. En general, lo que encontramos en este estudio fue que la facilitación del comercio internacional no podría ser posible sin la presencia de la OMA, y la OMC necesita a la OMA y su asistencia a este respecto.

**Palabras clave:** Organización Mundial de Aduanas, Organización Mundial de Comercio, Acuerdo de Valoración Aduanera, Reglas de Origen, Sistema Armonizado

## Introduction

In this research, we examine the role of the WCO in facilitating and smoothing international trade in goods. In fact, those tasks and practices, and recommendations made by the WCO, are one of the objectives of the WTO, namely, the facilitation of international trade. In fact, there is international trade in goods and services, but since the customs only deals with the trade of goods, so here we are only describing those aspects related to the facilitation of international trade in goods and the international trade in services do not mind us. It is an indication of facilitating or facilitating international trade to facilitate and smooth international trade in goods only.

The GATT was created in 1948 to regulate world trade in goods. The GATT was merely an agreement, and after 1994, following the Uruguay Round, The eighth round of Multilateral Trade Negotiations (MTN), WTO created and the GATT became one of the pillars of the WTO, which aims to facilitate trade in goods globally. Among the GATT articles, Article NO.7, which concerns the customs valuation of goods, and Article No. 9, which deals with the rules of origin, regulates the rules and regulations regarding these two articles by the WTO to WCO. In addition to setting customs valuation rules and rules of origin, for the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), the WCO also advises its member states on the other hand, as part of the WTO. WCO has also been preparing and concluding conventions whose main purpose is the creation of simple customs procedures such as the Kyoto Conventions, and many other things which, unfortunately, are limited by the possibility of providing them in the framework of this study in this study. We intend to answer the following questions:

- How does the WCO play a role in facilitating international trade?
- How does the Customs Valuation Agreement and the Rules of Origin facilitate international trade?
- At the request of which organization, WCO took responsibility for the

- regulation of commodity valuation and rules of origin?
- What is the role of the WTO in relation to the balance between the provisions of World Intellectual Property Organization (WIPO) and Agreement on Trade-Related Aspects of Intellectual Property Rights?

## 1. Theoretical and structural foundations of the WCO

Customs is considered as one of the tools of international trade. There is no sense in the absence of customs mobility and efficiency in the mechanism of international trade, as it is a concern of the WTO, and this organization is always trying possibility of optimum performance in customs systems and practical solutions, and recommending them through the WCO. One of the most important activities of the WCO is the preparation of the International Customs Dictionary and international customs conventions for the purpose of creating a common language and clear definitions for customs procedures that have been preceded by the practice of each country. Therefore, the foundation of many of these conventions was laid by WCO and thus, under the auspices of the said organization, a means to apply uniform rules and regulations in the implementation of temporary imports, international transit and facilitation of tourism and trade, respectively, in relation to the goods for exhibition International shipping and commercial and passenger transportation vehicles and many other customs formalities, and in particular the Kyoto Convention and the revised Kyoto Convention, have reduced the barriers that may arise from customs Procedures (Banayi, 2002: 8).

### 1.1 History of the WCO

Over the past 100 years, numerous of international organizations have been established to regulate and coordinate international relations and issues. Because customs control the goods and persons while crossing the borders, therefore, the existence of simple, uniform and harmonized international customs regulations is required. The initial step in this regard, and especially in the formulation of a nomenclature for goods, was initiated by the League of Nations. But an organization that, in all aspects has been tasked with drafting procedures and regulations was the Customs Cooperation Council (CCC), established in 1953. At present, nearly 183 countries have joined the organization, that holding about 98% of the world's merchandise trade. This organization is an international intergovernmental organization.

### 1.2 The convention on the establishment of CCC

The convention on the establishment of the CCC has an introduction and 20 articles. Here is a brief summary of the provisions of this convention.

In the introduction to the convention, which aims to establish a Customs Cooperation Council, states: Signatories of this convention, in order to achieve the highest degree of coherence and uniformity in their own customs systems, study the problems that prevent the improvement and development Customs and customs laws and regulations are simple and coherent. By accepting that cooperation between governments in the supply of international trade will improve the economic situation, the following (only referred to in the sixth article of this Convention) have agreed:

Article 1: Declaration of the establishment of a Customs Cooperation Council for the purpose of achieving the objectives set forth in the introduction to the Convention.

Article 2: As to how to become a party to the convention, and also what organizations can, with the agreement of the Council, act as observers.

At present, representatives of the International Chamber of Commerce (ICC) and the European Union (EU) and the Arab League and International Air Transport Association (IATA) have supervisory representatives on the council (Saffari Taheri, 2011: 57).

Article 3: This article expresses the duties of the Council.

Article 4: This article stipulates that the members of the Council shall provide the Council with information in order to carry out the duties of the Customs Cooperation Council.

Articles 5 and 6 are about the committees of the council, including the committees designated by these materials and in relation to the WTO, the Value Committee and the Rules of Origin Committee.

### **1.3 The organization of the WCO**

According to Article 3 of the Convention on the establishment of a CCC, one of the main tasks of the council is the drafting of conventions, their subsequent amendments, uniform implementation, and the holding of technical meetings of customs systems and the proposal to the members to implement uniformly. Usually drafting conventions and examining and proposing technical aspects of customs systems by committees from representatives of member states or representatives of other organizations that are invited by the council they shall be prepared and implemented by the adoption of a council consisting of the chief customs officers of the council. The council also needs a place and a secretariat to conduct correspondence, declarations of meetings, and announcement of the results of meetings for their duties (Beheshtian, 2004: 14).

The most important committees of the WCO are the Harmonized System Committee, the Technical Committee on Rules of Origin and the Technical Committee on the Customs Valuation. Among the aforementioned committees are two technical committees of the rules of origin and the technical committee for the customs valuation, which are part of the WCO but have direct links with the WTO.

## **2. WTO and WCO cooperation in customs valuation and rules of origin**

### **2.1 Customs Valuation**

Undoubtedly one of the most important duties of customs is to determine the value of imported goods. Determining the value of the goods in a correct and real way plays a very important role in facilitating and improving the international trade of goods. Because there is a direct relationship between the customs duties of imported goods (and in some cases of exports). That is, if the customs duties are calculated on the basis of the value of the goods, then the higher the value of the goods, the greater the amount of the customs duties received from the goods, and vice versa.

Of course, it should not be forgotten that even if the customs duties are completely zero, there is still a need for the rules of customs valuation. One of the main reasons for this claim is the Value Added Tax (VAT), or the tax that comes from imported goods. These taxes are not subject to GATT / WTO tariff reductions despite customs duties. And customs officials continue to apply WTO rules for obtaining taxes. (Sheri Rosenow & Brian J O'Shea 2011: 30)

### 2.1.1 The Aspects of determining the value of goods

Determining the value of goods has two aspects. The first aspect is the determination of value for customs purposes for customs duties and the second aspect is the determination of value for non-customs purposes. Determining the value of the customs is of two dimensions.

1. Financial goals: To determine precisely the amount of customs duties for imported goods (and in some cases for exports).
2. Economic Objectives: What is being done to facilitate international trade

In general, there are two ways to obtain customs duties:

1. The method is based on a percentage of the value of the goods (*Ad Valorem*) (i.e., for example, 5% of the value of a commodity is defined as the customs duties of the goods on the goods, which determines how the value of the goods is calculated for the 5% of this by the WTO Customs Valuation Agreement)
2. The method of obtaining customs duties, regardless of the value of the goods and in particular based on the weight of the goods or the number or volume of goods. (Shishechiha, 2002: 45-50), For example, if we want to use this method of obtaining customs duties based on the number of goods, a country for importing any car without regard to the manufacturer and the model and value of the goods, will receive 1,000 USD. Now, consider the person A to imports 10 cars of 200,000 USD worth of each, and the person B attempts to import 100 cars of another brand worth 20,000 USD per car. The person A pays 10,000 USD and the person B pays 100,000 USD. Explaining that person A pays 0.5 percent of the value of the 10 cars, and the person B pays 5 percent. Therefore, this method is not a fair method, which is why most countries use the *Ad Valorem* method to obtain customs duties.

### 2-1-2) The WTO Valuation Agreement

The agreement contains a set of rules for value determination, developed and on the basis of similar and relevant provisions of the GATT, and a methodology for determining the customs valuation. In fact, this agreement creates a system for determining the value of goods, which in the first, places, the value of the imported goods on the basis of customs value (Shishechiha, 2002: 78).

According to what is mentioned in the official website of the WCO<sup>1</sup>, the WCO Technical Committee on Customs Valuation implement measures for the implementation of the Customs Valuation Agreement, which will include:

1 [http://www.wcoomd.org/en/about-us/wco-working-bodies/tarif\\_and\\_trade/technical\\_committee\\_on\\_customs\\_valuation.aspx](http://www.wcoomd.org/en/about-us/wco-working-bodies/tarif_and_trade/technical_committee_on_customs_valuation.aspx)

- examine specific technical problems arising in the day-to-day administration of the Customs valuation system of Members of the WTO and to give advisory opinions on appropriate solutions based upon the facts presented;
- study, as requested, valuation laws, procedures and practices as they relate to the Agreement and to prepare reports on the results of such studies;
- prepare and circulate annual reports on the technical aspects of the operation and status of the Agreement;
- furnish such information and advice on any matters concerning the valuation of imported goods for Customs purposes as may be requested by any Member of the WTO or the Committee on Customs Valuation (hereinafter referred to as “the WTO Committee”) which has been established under the auspices of the WTO in accordance with Article 18 of the Agreement;
- facilitate, as requested, technical assistance to Members of the WTO with a view to furthering the international acceptance of the Agreement;
- carry out an examination of a matter referred to it by a panel under Article 19 of the Agreement;
- exercise such other responsibilities as the WTO Committee may assign to it.

It should be noted that the members of the Technical Committee on Customs Valuation are members of the WTO and can be members of the observer group at the meetings of WTO (Beheshtian, 2004: 31).

The agreement is an important step in facilitating and promoting international trade, and has increased the level of trust and cooperation among merchants and customs around the world. As a result, the WCO has a steady contribution to determining the value of the goods with the ICC, and the ICC attends the meetings of the Technical Committee on Customs Valuation and provides comments and guidance.

## **2.2 Rules of Origin**

Today, in international trade and in the context of the globalization of the economy, the division of labor and the dispersion of the chain of production of goods in different regions and countries is one of the consequences. Many of the commodities that are traded in the international cycle include materials and components which is produced in more than one country. It may even be possible for its production process to take place in several different countries. This issue poses many problems and difficulties for the importing country from the point of view of origin of the goods (Dadvand, 2010: 110).

As it was said, the importance of the issue is that many of the trade policies of countries are closely related to the origin of the goods.

### 2.2.1 The purpose of the harmonized rules of origin

The purpose of the harmonized rules of origin is coherent and understandable rules for determining the origin of goods that are expected to be developed in conjunction with non-preferential trade policy instruments through the participation and cooperation of WTO member countries. When these rules are completed, an integral part of the rules of origin will come into existence (Banayi, 1995: 1).

### 2.2.2 The way to determine the origin of goods and the importance of determining the origin of the goods in international trade

The rules of origin, which are used to identify the source of goods, are based on two fundamental criteria:

1. Complete production.
2. Substantial or essential deformation.

The full production criterion relates to the time when the product in question is produced entirely in one country, and the criterion of essential or substantial deformation relates to the time when substantial changes are made to the materials and parts that these materials or parts come from within the country or other countries. The country is second, and after making a change, a full product is produced on them.

Detection of the origin or place of manufacture or processing of goods is in many ways important for the countries of arrival. Because these countries, in whole or in part, have commercial interests or even political interests in benefiting from bilateral or international agreements or conventions with countries of manufacturing or processing of goods, have common interests or specific considerations in their program, so that A rational rule must be based on universally accepted principles and criteria in the recognition of the source and its determination to predict and advance the countries in order to rely on it. These rules and principles have been drafted in various formats, such as changing customs tariffs, determining the percentage of value added and other accepted methods (Banayi, 1995: 47).

It is also very important for governments to know that imported goods to their country from certain countries for various reasons, such as the protection of trademarks and the existence of specific international sanctions or the existence of specific environmental pollution affecting the goods especially for the food, and many other similar reasons.

However, the preparation and formulation of rules and regulations regarding the determination of the rules for the origin of goods has not yet come to an end, and this is because of the specialized and complexity of this because all commodities, raw materials or simple goods are not imported from one country, but today many commodities are combination of many goods has been produced, so it's difficult to determine the origin of the goods.

## 3 WCO measures and conventions to facilitate international trade

### 3.1 The Harmonized Commodity Description and Coding System (HS)

All international merchandise should be categorized uniformly and permanently.

This prevents different classification of goods moved from one country to another.

Customs terms and terminology must be standardized in order to be used by manufacturers, traders, transport and customs institutions, or in commercial negotiations. If the figures and numbers are consistent with a single standard, they can be used and compared internationally, which ultimately facilitates statistical analysis and comparison of international trade.

The above factors were one of the motivations for creating a customs nomenclature and, ultimately, and the Harmonized Commodity Description and Coding System, or HS.

This system was developed and codified according to the Harmonized System Convention and came into force on January 1, 1988.

### **3.1.1 Customs Tariff**

The Harmonized system, summarized as the HS is an international, multifunctional and multimodal nomenclature. The main application of this nomenclature is for customs tariffs and trade statistics. The coordinated system is widely used for other purposes such as source code, freight tariffs, quota controls, and trade monitoring. More than 98 percent of the world's merchandise is classified according to the principles and rules of the HS. This system allows us to assign different types of merchandise a specific number (a coordinated system code). According to the HS codes, customs tariffs and trade restrictions may be specified. A customs tariff represents the amount of customs duty payable for the entry or export of a good. Limitations are rules that specify non-existent or unauthorized goods that are prohibited or prohibited from being exported (Aram, 2001: 1).

### **3.1.2 International Convention on the Harmonized System**

The International Convention on the Harmonized System has several features, some of which are:

- The HS nomenclature, annexed to the Convention, is a key component of the Convention.
- Member States are required to apply the HS as the basis for their customs tariffs and commercial statistics.
- The Harmonized System Committee (HSC) shall be composed of representatives from each member country.
- Resolving disputes concerning the classification of goods in order to ensure uniform interpretation and application of the coordinated system
- Preserving the content of the HS nomenclature consistent with changes in international trade technology and construction, and other needs of the users of the HS (Aram, 2001: 9).

### **3.1.3 The importance of the harmonized system in international trade**

After formulating and implementing the HS, this system has become “the real common language of the international commerce”. Studies have shown that both the private and public sectors have been heavily burdened with the maintenance of different systems of classification of goods in different countries, but this system was designed to be able to establish a standardized

system between To avoid double costs (Zare'i & Moghaddasi, 2012: 22).

In fact, it can be said that in international trade before the system was implemented, those who were involved in some kind of international trade needed to know that they had information about the classification of goods in all countries, which themselves It was difficult and complex, because for the import and export of a commodity, it was necessary to understand the regulations of the destination country regarding a specific commodity in terms of the amount of import rights and the amount of the related duties in the area of prohibitions and restrictions, and since one The goods were not categorized in the whole world, collecting information on the classification of goods in the cache different varieties were inevitable. But after the implementation of the HS, the classification of the goods is such that the classification is consistent with international standards in all the customs that are bound by the convention of the coordinated system. Today, about 180 countries, customs and economic union, which hold about 98 percent of global merchandise trade worldwide, use this system of goods classification.

### **3.1.4 The role of the WCO in relation to HS**

The WCO's strategic plan for the coordinated system of classification of goods has three main objectives:

1. Guaranteed the uniform interpretation and apply of the HS.
2. Improve and update the HS in such a way as to reflect developments in the technology of business models.
3. Extending the use of the HS by customs and other government agencies, international organizations and the private sectors.

Ultimately, the WCO's HS compilation has made international commodity trade considerably easier and more transparent, making it part of the WTO's principles and objectives of facilitating international trade.

### **3.2 The International Convention on the Simplification and Harmonization of Customs procedures (the Kyoto Convention) and the Revised Kyoto Convention.**

Trade facilitation has a spontaneous and potentially self-supporting force of peace and prosperity. This potential (international trade facilitation) represents a pragmatic cooperation in the economy that can provide the architecture of the infrastructure for political cooperation and peaceful relations among nations. So, in fact, as far as the level of cooperation and trade between governments is concerned, this increase in trade between the nations can be a factor in better political relations. Because governments usually place economic interests at the top of the list, and as a result of the more economic relations, the fewer political contradictions will emerge, so trade can be said to be equal to more peace. However, in order to increase trade, the barriers should be reduced and eliminated. In the meantime, efforts should be made by the CCC or the WCO to simplify and harmonize customs procedures or customs regimes in the form of an international convention on the subject of the Kyoto Convention (Biselm, 2011: 8).

### **3.2.1 The International Convention on the Simplification and Harmonization of Customs Procedures (Kyoto Convention)**

The convention is one of the most important conventions on the simplification and harmonization of customs procedures and procedures. It was ratified in Kyoto, Japan, in 1973, and came into force on September 25, 1974. In today's international trade, the business environment is highly competitive. Trade is in fact the investment of a person or group or state to profit, and there must be support for the flow of trade and capital so that traders use their capital in sectors and places that have less cost and risk. In fact, it can be said that the capital goes to make it easier to make a profit. Customs systems can all be considered as one of the factors that can be arranged to prevent international trade and can be adjusted in such a way as to facilitate the internationalization of international trade. Iran is not a party to this Convention, but since it is formulated by the WCO and Iran is a member of the WCO, despite its non-participation in the convention, it adopts the recommendations and experiences of the member states of the convention and the WCO in simplifying customs procedures.

### **3.2.2 Tokyo Revised Convention**

#### **3.2.2.1 History of the revised Kyoto Convention**

The Kyoto Convention has been in place since 1974, but what is to be noted is that in the 1970s, the world trade volume and the amount of international transportation have not been in this area. Another issue to be mentioned is the growth of information technology and its impact on business and international trade. As it can be said, the Kyoto Convention was unable to respond to changes that have taken place in international trade and to meet its needs. Therefore, the WCO was urged to revise the Kyoto Convention to develop a convention that would adapt itself to new needs. This process lasted for 5 years from 1995 to 1999, and after five years of continuous work, the final text was adopted by the Council of the WCO on June 26, 1999. The convention, the full title of which is the International Convention on the simplification and harmonization of customs procedures and, briefly, the revised Kyoto Convention, is one of the most comprehensive and comprehensive international customs conventions that deal with the simplification and harmonization of customs procedures in 26 June 1999 was adopted by the World Wide Organization Council and was implemented on February 3, 2006. The Convention, in its scope and comprehensiveness, covers all modern customs procedures as a comprehensive plan of customs procedures, work plan, and roadmap for the world's customs in the 21st century. As the standards and recommendations contained in it provide the necessary ground for increasing the participation of customs in the development of world trade, it was implemented in 2006 after the accession of 40 countries to this Convention (Saffari Taheri, 2011: 166).

#### **3.2.2.2 Principles of the revised Kyoto Convention**

The convention first introduced new concepts for customs issues and set out the principles that customs authorities should enforce, the main purpose of these principles being to increase commercial facilities.

1. Create uniform and simple customs procedures.
2. Continuous promotion of customs control technologies.
3. A collaborative approach between customs and trade.

Also, according to the convention, some items should be carried out by customs, most notably the following:

1. Maximum use of automated and automated systems.
2. Applying the risk management.
3. Possibility to online transfer of the funds.
4. Use of information prior to arrival of goods and services.
5. Implementing the international standards.

### **3.2.2.3 The effects of the Revised Kyoto Convention on facilitating international trade**

The Revised Kyoto Convention will increase commercial facilities through legal requirements in the form of chapters, appendices and special clauses. These requirements are used to maximize the facilities for goods and passengers.

Also, the forecast of 10 specific annexes, comprising 25 independent seals, each containing a specific customs procedure, constitutes the main volume of the convention and includes the proposed standards and executive directives for the simplification and harmonization of customs procedures. All are observing simplified customs formalities because it is believed that customs formalities do not require complexity in order to be effective. Since simplification of customs procedures often results in lower customs clearance and effective customs clearance and reduces the cost of exports and imports of goods.

## **4. Other Effective Conventions to Facilitate International Trade**

The items in this section can be considered as some of the issues that, although not directly provided by WCO, require the customs to carry them out, and in practice, without the presence and role of customs, they are faced with problems.

### **4.1 WCO and Intellectual Property Rights**

#### **4.1.1 World Intellectual Property Organization**

In 1883, the first international treaty to protect inventions was created. And in 1886 another international convention was adopted to support literary and artistic works and copyrights. The first convention was the Paris Convention and the Second Convention was the Bern Convention (Beheshtian, 2011: 62).

In 1893, two Paris and Berne conventions joined form an international organization, the United International Buraux for the protection of Intellectual Property<sup>2</sup>which renamed World Intellectual Property Organization in 1970 and in 1974 became a Specialized Agency of the United Nation (Saket, 2005: 90).

Prior to the establishment of the WIPO, due to numerous conventions on intellectual property, an international organization would have to cover them

all. Currently, the organization has 184 members. WIPO's task is to develop measures to facilitate intellectual property protection in the world, to harmonize the laws of the countries in this field, encourage the countries to join intellectual property conventions, and help and guide them to legislate proper laws in this area. Interestingly, the WIPO Convention itself lacks rules for protecting intellectual property, but it has the task of coordinating and improving the regulations developed to protect intellectual property.

#### **4.1.2 Agreement on Trade-Related Aspects of Intellectual Property**

The TRIPS Agreement, has 73 articles. Because the WTO tries for trade freedom, it is feared that the WIPO and its subordinate treaties would be a barrier to legitimate trade (Moradi, 1998: 90).

WIPO and its 24 subscription treaties focus on the formulation of principles and types of intellectual property rights while TRIPS accepts and recognizes WIPO and its subset, while supporting intellectual property in international trade and with an overview of the WTO that is, facilitating global trade and how to resolve the differences in the country in this regard (Beheshtian, 2011: 78).

#### **4.1.3 WCO's role in coordinating intellectual property rights and facilitating international trade**

Here, the role of the customs is highlighted because, on the one hand, customs should confront their rights in the face of intellectual property and intellectual property, and on the other hand, it does not make customs a factor in facilitating trade. An international obstacle. In doing so, the WCO has been preparing to integrate the provisions of WIPO and TRIPS about 20 articles and have recommended that countries include these materials in the Customs Code to combat intellectual property offenses. WCO also has a website, ([www.wcoipm.org](http://www.wcoipm.org)), which creates a secure connection for the exchange of information between holders of intellectual property rights and customs (Beheshtian, 2011: 79).

### **Conclusion**

In this research, we pursued our goals in four distinct sections. In the first part, we introduced the WCO and reviewed its history, and we realized that this organization was created as an important international organization. Regulations and conventions and recommendations whose main purpose is to create facilities for international merchandise trade and to create uniformity in the field of commercial procedures. Our second part was about the relationship between the WCO and the WTO regarding the formulation of rules on the Customs Valuation Agreement and the Rules of Origin. Valuation of goods is an important matters. Valuing goods correctly and rationally causes establishing fairness in obtaining customs duties, and reduce one of the non-tariff barriers that arises from unrealistic valuation of goods for obtaining customs duties. Also, as it was examined, the role of the WCO in the field of commodity valuation rules was not solely related to the formulation of the provisions of the WTO. But after the implementation of this agreement, it also makes recommendations, such as helping the less developed WCO member countries to implement it, as well as helping and understanding the interpretation of this agreement and its correct and transparent application. Some of the questions in this research can be answered. The WTO required an organization to draft these kind of

regulations that would have the necessary expertise. Only the WCO could have been. We also looked at the Rules of Origin that the origin of goods in many ways is important, such as security, health, and intellectual property rights, for example, Like the formulation of regulations for the valuation of goods, this task, namely the formulation of rules for the determination of the origin of goods, was assigned by the WTO to the WCO, because this is a specialized and technical work and must be developed by an organization that is specialized in this way.

However, the preparation and formulation of rules and regulations of the rules for the origin of goods has not yet come to an end, and this is because of the specialized and complexity of this because all commodities, raw materials or simple goods are not imported from a country, but today many commodities are combination of many other goods, so it's difficult to determine the origin of the goods.

Also, in the third part of this study, we have investigated about the Harmonized System, a system for classifying goods, or indeed a categorization of goods in the form of a division. This has many advantages that can be realized in facilitating trade between the nations. We have also reviewed the Kyoto Conventions, a convention for the harmonization of the customs procedures, and the revised Kyoto Convention, as their name suggests, to establish an identical approach to customs procedures in customs, Coordination and uniformity in this regard will come about, and businessmen and practitioners of trading in different customs are aware that they are faced with the same, simple and transparent procedures in different countries, which could encourage traders to have more commercial actions in other countries.

Another point is that the Kyoto Convention, which was established in the seventies of the last century, was revised after the expansion of trade and information technology to adapt itself to the new circumstances, so the Revised Kyoto Convention has been drafted and implemented, and the convention has increased the commercial facilities through legal requirements in the form of annexes and special clauses, which will provide many facilities for businessmen and merchandise. The convention also provides for disagreements between members for the interpretation or implementation of this Convention, which, by negotiating the dispute between the parties, will first be the subject of referral of the dispute to the Convention's management committee. Undoubtedly, the role and effect of the Kyoto Conventions in Facilitation of international trade is undeniable.

Lastly, we looked at the role of the WCO in balancing between WIPO and TRIPS regulations. In general, what we found in this study was that international trade facilitation could not be possible without the presence of the WCO, and the WTO, in this regard, needs WCO. Finally, the WCO, in pursuit of its objectives, in addition to the formulation of rules and conventions and the provision of recommendations to member states, for the further implementation of these objectives, their full implementation by the member states at national level is required. In some cases, the member states see that the implementation of the WCO programs is contradictory to their rules; in my opinion, this should be done in such a way that the interests of the international business community ultimately are realized.

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