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Dear readers!

Here is the new issue of the Information Bulletin "Trade Facilitation in Ukraine Monitoring," a product of the Institute for Economic Research and Policy Consulting, published with the support of the European Union, International Renaissance Foundation, and ATLAS Network within the project "Support to the Civil Society Initiative "For Fair and Transparent Customs." We strive to provide you with the latest and most up-to-date information on the state of customs reform implementation and the implementation of measures to facilitate international trade in Ukraine. Therefore, send your opinion, feedback, and wishes regarding communication links and methods of providing information to: customs@ier.kyiv.ua

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The procedure for registration of international and express shipments has been clarified

Order of the Ministry of Finance of Ukraine No. 6 dated January 4, 2023, "On registration of international postal and express shipments and approval of changes to the Procedure for filling out customs declarations as a single administrative document"

The Ministry of Finance, with a corresponding order, fills in the sub-legal regulatory framework necessary for the full functioning of the register of international postal and express shipments, approved by Resolution No. 1458 of the Cabinet of Ministers of Ukraine dated December 27, 2022.

The rules for filling out and sending international postal and express shipments have been established. To implement the resolution, the order approved:

- The procedure and conditions for customs control and customs clearance of goods moved (forwarded) in international postal and express shipments;

The procedure for determining and equipping central (regional) sorting stations;

The procedure for filling out the M-16 customs declaration;

The procedure for filling registers (temporary and additional) of international postal and express shipments and making changes to them.

Amendments to the Procedure for filling customs declarations as a single administrative document, approved by Order No. 651 of the Ministry of Finance dated May 30, 2012.

Source: http://surl.li/fglsy

Changes made to the list of goods imported into Ukraine without providing the customs authorities with customs payments

Resolution No. 80 of the Cabinet of Ministers of Ukraine dated January 31, 2023, "On Amending Resolution No. 1091 of the Cabinet of Ministers of Ukraine dated September 27, 2022"

The government changed the list of individual goods, the import of which into the customs territory of Ukraine and/or transit through the territory of Ukraine is carried out without providing the customs authorities with customs payments.

The list includes such goods as fuel, various generator sets, transformers, spare parts for them, and other products and goods necessary for the restoration of the infrastructure of companies involved in the production, transmission, and distribution of electric energy. The list contains a significant number of items in accordance with the Ukrainian Classification of Goods for Foreign Economic Activity, listed in reference 1. This provision of the resolution will expire on May 1, 2023.

Also, a wide range of goods (except alcohol, tobacco products, etc.) imported into Ukraine by public associations and/or charitable organizations with non-profit status, with the purpose of their further transfer free of charge to the defenders of Ukraine, was added to the specified list.

Fees for performing customs formalities for such goods outside the location of the customs authorities or the working hours established for them are not paid.

The document was adopted to simplify and speed up the registration of relevant cargoes and reduce the financial

burden on public and charitable non-profit organizations when they import relevant products for defense needs.

Source: http://surl.li/fglsr

Changes made to the procedure for customs control and customs clearance of individual goods

Resolution of the Cabinet of Ministers of Ukraine dated January 20, 2023, No. 47 "On Amending Individual Resolutions of the Cabinet of Ministers of Ukraine on Customs Control and Customs Clearance"

The government made some changes to the procedures for customs control and customs clearance of cargo.

For example, technical amendments were made to the regulation on customs declarations (approved by the resolution of the Cabinet of Ministers of Ukraine dated May 21, 2012, No. 450) to use the electronic exchange.

Other changes relate to the specifics and order of deliveries of goods, which are carried out without providing the customs authorities with customs payments.

Changes were also made to the Standard technological scheme for the passage of persons, road, rail, water, and air transport across the state border and goods transported by them, approved by Resolution No. 451 of the Cabinet of Ministers of Ukraine dated May 21, 2012.

Source: http://surl.li/fglwo



[1] 2710 19 93 00, 3914 00 00 00, 7020 00 80 00, 7225 11 00 00, 7325 10 00 00, 7605 11 00 00, 7607 (for industrial use only), 8407 90 10 00, 8407 90 80 00, 8407 90 90 00, 8408 90 41 00, 8408 90 43 00, 8408 90 45 00, 8408 90 47 00, 8408 90 61 00, 8408 90 65 00, 8408 90 67 00, 8408 90 81 00, 8408 90 85 90, 8408 90 89 90, 8421 21 00 00, 8421 99 90 00, 8481 80 59 00, 8501 61 80 90, 8501 62 00 90, 8501 63 00 90, 8501 64 00 00, 8502 (power generators), 8503 00, 8504 (transformers, parts of transformers, inverters, except 8504 21 00 00, 8504 22 10 00, 8504 22 90 00, 8504 23 00 00, 8504 31 21 00, 8504 31 29 00, 8504 31 80 00, 8504 32 00 90, 8504 50 95 90, and civil aviation goods), 8507 20 (except civil aviation goods), 8507 30, 8507 40 00 00, 8507 50 00 00, 8507 60 00 00, 8507 80 00 00, 8507 90 (except civil aviation goods), 8517 62 00 00, 8517 69 90 00, 8517 70 00 90, 8535, 8536, 8537, 8546, 8547 90 00 00, 9014 80 00 00, 9025 19 80 98.



Amendments to the Customs Code are proposed regarding the extension of the NCTS system to the transportation of goods by internal transit

Draft Law of Ukraine, No. 9014-1 dated 02\28\2023 "On Amending the Customs Code of Ukraine regarding the use of customs declarations and the electronic transit system provided for by the Convention on the Common Transit Procedure, for transit according to this Code"

Registration date: 28 лютого 2023 року

Initiator: Members of Parliament of Ukraine

The draft law aims to extend using customs declarations and the electronic transit system, introduced as a result of Ukraine's accession to the NCTS (Convention on the Common Transit Procedure) for cross-border transportation, for the transportation of goods by internal transit, as well as the introduction of the European practice of using the electronic transit system, in particular, for transit simplifications " authorized consignor status" and "authorized consignee status" which will contribute to the further integration of Ukraine into the European Union's customs system and speeding up of customs formalities and procedures. This draft law is an alternative to draft law No. 9014. It proposes to improve the amendments proposed by draft law No. 9014 to the Customs Code of Ukraine in terms of the use of customs declarations and the electronic transit system for internal transportation and to implement provisions of the EU customs legislation into the national customs legislation, related to transit movements of goods and the use of transit simplifications.

The draft law proposes:

- establish that the transit customs declaration and the electronic transit system are used to perform customs formalities and ensure control over transit movements between customs authorities of Ukraine;
- to allow the use of the transit simplification provided for by the Convention during the movement of goods by internal transit by a company that received the appropriate authorization for the use of such simplification within the framework of cross-border movements;
- to regulate the rules for submitting a customs declaration for putting goods in the customs transit regime, including consolidated cargoes;
- introduce mandatory identification for goods during their placement in the customs transit regime by sealing vehicles, containers, or individual packages, which complies with EC customs legislation;
- to implement such transit simplifications as "authorized consignor status" and "authorized consignee status" into the national customs legislation and to determine the mandatory conditions for granting authorizations for such simplifications;
- to extend the use of companies' facilities specified in the authorizations for the application of these simplifications, when presenting to the customs authority goods whose declarant is the company that has been granted authorization for the application of the simplification of the "procedure of release by location"; to determine cases in which a preliminary customs declaration is not submitted; to clarify the rules for providing information by the customs authority regarding the completed customs clearances; to extend

customs control of goods as a matter of priority to goods moved under the terms of the Convention on the common transit procedure.

Adoption of the draft law: brings Ukraine's customs legislation closer to EU legislation; regulates the issue of the use of customs declarations and the electronic transit system provided for by the Convention on the Common Transit Procedure for internal transportation of goods under customs control through the territory of Ukraine; allows to implement into the national customs legislation such transit simplifications as "authorized consignor status" and "authorized consignee status" which will allow the company to place goods in the customs transit regime under the terms of the Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975)

Source: http://surl.li/fgkrs



It is proposed to use the common transit regime for the internal transportation of goods under customs control throughout Ukraine's territory

Draft Law No. 9014 of 02/14/2023 "On Amending the Customs Code of Ukraine regarding the use of customs declarations and the electronic transit system provided for by the Convention on the Common Transit Procedure for transit according to this Code"

Registration date: February 14, 2023

Initiator: Members of Parliament of Ukraine

The draft law proposes: to regulate the use of customs declarations and the electronic transit system introduced as a result of Ukraine's accession to the NCTS (Convention on the Common Transit Procedure) for not only cross-border transportation of goods (which has already been implemented) but also for internal transportation of goods under customs control on the territory of Ukraine. Extend the possibility of using these customs declarations and the electronic transit system for the transportation of consolidated cargo to the enterprises specified in the authorizations for the application of the simplifications of the "procedure of issue by location" and "procedure of simplified declaration". Provide the companies involved in foreign economic activity (enterprises), their declarants, or representatives periodically, upon request using the "single window" mechanism, to receive from the information systems of the State Customs Service information from customs declarations issued by them and/or in which the enterprise is indicated as the recipient.

Source: http://surl.li/fgkrx



A new checkpoint on the Ukrainian-Romanian border has opened

On February 1, a new road crossing, "Dyakivtsi - Rakovets," was officially opened in Bukovina.

The Agreement between the Governments of Ukraine and Romania defines the 24-hour mode of checkpoint operation for pedestrians and automobiles (including buses), except for freight traffic. In the first stage, the checkpoint will be open for the passage of empty trucks and tanks, and later, depending on creating necessary infrastructure conditions for other types of vehicles and goods movement.

The planned daily capacity of the checkpoint is up to 300 vehicles, including ten buses, and 1550 citizens, including 500 pedestrians. The checkpoint has six traffic lanes for vehicle registration and a separate traffic lane for people crossing the border on foot.

A separate border guard division was created for border crossing operations at the Dyakivtsi checkpoint. The department's staff has received appropriate training and is ready for border control of citizens and vehicles. All workplaces for passport control are equipped with computer equipment with access to databases and other means for efficient passport operations.

We would like to remind that from November 10, 2022, the international automobile checkpoint "Krasnoilsk - Vikovu de Sous" started working on the Ukrainian-Romanian border in the Chernivtsi region.

The "Dyakivtsi" checkpoint is open 24 hours for pedestrian and automobile traffic, including buses. According to the decision of the Romanian side, the passage of trucks is temporarily unavailable.

Source: http://surl.li/fgkpd

The European Commission highly rated the results of Ukraine's approximation to the customs union

The European Commission highly rated the results of Ukraine's approximation to the customs union, the Ministry of Finance of Ukraine reported.



The European Commission highly assessed Ukraine's readiness to implement Chapter 29: Customs Union - the 4th level of preparation out of 5 (the fifth level currently includes a single measure for providing digital services for the population).

The following main achievements of Ukraine in the customs sector were noted in the Conclusion of the European Commission in the context of European integration processes:

- became a member of the Convention on a Common Transit Procedure and the Convention on the Simplification of Formalities in Trade in Goods on October 1, 2022
- connected to the customs common communication network of the EU (CCN) and uses the New Computerized Transit System (NCTS);
- fulfilled about 80% of its customs obligations under the Association Agreement with the EU, including in the key areas of transit, the system of simplifications, guarantees and intellectual property rights;
- the national AEO program is in effect;
- Ukraine is a contracting party to the Pan-Euro-Med Convention on the Rules of Origin of Goods;
- the legislation on the control of cultural values has been brought into line with the EU rules.

Further steps to be taken by Ukraine in accordance with the Conclusion of the European Commission:

- finalization of the IT system for granting authorizations;
- increasing the level of use of the AEO program for successful evaluation and mutual recognition with the EU AEO program;
- final harmonization of the customs legislation of Ukraine with EU legislation (it is necessary to bring about 20% of the legal base in the customs sphere into compliance with EU rules and harmonize the Customs Code of Ukraine with the EU Customs Code);
- development and improvement of customs IT systems – a priority for the coming years;
- improvement of current procedures and work methods in some operational areas to improve implementation and compliance with customs legislation adapted to EU requirements;

Clarification and elimination of differences in the direction of protection of intellectual property rights.

Source: http://surl.li/fgkyv



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The proposed Information Bulletin is a continuation of the previous one and is published within the project **"Support to the Civil Society Initiative "For Fair and Transparent Customs"** accomplished with the support of the European Union, the International Renaissance Foundation, and ATLAS Network and monitors customs reform and international trade facilitation implementation.

The publication consists of three parts:

regulatory legal acts that entered into force;

draft laws;

news.

We understand that small and medium-sized businesses do not have enough time to analyze new legislation or possible regulatory innovations. Also, a significant number of such acts are difficult for the average person to understand. "Trade Facilitation Monitoring in Ukraine" is designed to draw attention to interesting events and innovations in Ukrainian legislation related to the trade procedures simplification that may directly affect foreign economic activity actors. In these publications, we will also analyze draft regulations on this issue.

The Institute for Economic Research and Policy Consulting (IER) is an internationally recognized independent Ukrainian think tank founded in 1999.

IER analyzes economic development problems, international trade, and business climate (particularly in the SME sector) and participates in developing policy documents at the national and regional levels.

The IER regularly issues its macroeconomic forecast for Ukraine and participates in developing the consensus forecast of the Ministry of Economic Development and Trade of Ukraine.

The IER sociologists' team conducts regular surveys of enterprises and experts to assess the business climate and expectations of Ukrainian business. IER successfully combines its analytical activities with advocacy for change and participation in the public life of Ukraine. IER cooperates with central and local authorities, national and foreign think tanks, and civil society organizations.

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