International Customs Cooperation

Międzynarodowa współpraca celna

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Summary
This article deals with the issue of International Cooperation on Customs Affairs. It considers the main areas of customs cooperation and focuses on collaboration points between Ukraine and Poland. This paper also examines the development prospects of customs relations between Ukraine and Poland and other countries of Central and Eastern European region. The article contains analysis of the efficiency of the main directions in customs cooperation. Based on the analysis attempts were made to develop theoretical and practical suggestions aimed to improve and activate customs services in certain directions in Ukraine and other countries of Central and Eastern Europe.

Keywords: international cooperation, customs administrations, general customs control, information exchange

Streszczenie
Treścią tego artykułu jest międzynarodowa współpraca celna. Głównym obszarem opracowania jest współpraca celna między Ukrainą i Polską. Badamy także perspektywy rozwoju w/w relacji pomiędzy Ukrainą, Polską i innymi państwami Europy Środkowo-Wschodniej. W artykule tym zawarte są analizy efektywności głównych kierunków współdziałania w zakresie działalności celnej. W oparciu te analizy podjęto również próbę opracowania teoretycznych i praktycznych wskazówek jak doskonalić i uaktywnić w pewnych kierunkach politykę celną na Ukrainie i innych państwach Centralnej i Wschodniej Europy.

Słowa kluczowe: international cooperation, customs administrations, general customs control, information exchange
Actuality. Ukraine’s foreign policy is focused on ensuring its national interests and security by maintaining peaceful and mutually beneficial cooperation with the international community on the basis of universally recognized principles and norms of international law. One of the areas of Ukraine’s international cooperation is international customs cooperation or, as specified in the national customs legislation, international cooperation in the field of customs. Among all the countries of Central Eastern Europe, relations between Ukraine and Poland are marked by diversity, richness of events, and problematic character of formation. In terms of capacity in bilateral contacts Ukrainian-Polish relations are defined as strategic. In addition, the development of relations with the Republic of Poland takes the main place in foreign affairs policy and foreign economic activity of Ukraine regarding to Central European countries. This attitude towards the western neighbor is not only for the reason of the centuries-old tradition of Ukrainian-Polish relations, territorial proximity, common demographic roots and close cultural ties, but, above all, by common political and strategic interests, active cooperation in all spheres of life between the two countries.

The system of Ukrainian-Polish cooperation in recent years has undergone significant changes connected with joining of Poland the EU. On the one hand, these changes are caused by transformation of external economic policy format of our western neighbor due to adapting Polish law to the EU requirements, as well as coordination with the foreign policy of the EU Common Strategy. At the same time, the full integration of Poland into the economic and political space of the EU put on the agenda the problem of identifying the role and place of the country as a part of that organization. One of the priorities of Poland’s specialization in this context may be its geopolitical mission of a “bridge” of Western Europe in the post-Soviet space. This means that for Poland, as for a subject of the EU, one of the most important issues remains maintaining good partnership relations with its eastern neighbors, especially Ukraine.

The aim of the work is to identify the main areas of international cooperation on customs affairs and perspectives of relations between Ukraine and Poland and other countries of Central and Eastern European region.

Research on the topic. Analysis of the literature allowed us to determine that the issue of international customs cooperation was investigated by such scholars and experts as: K. Borysov, K. Bakaii, I. Berezhniuk, X. Volfgang, Ye. Gvardzynska, D. Dainen, Ye. Dodin, L. Entin, O. Yershov, S. Kivalov, Zh.-K. Kolli, B. Kormych, O. Pavlenko, S. Perepiolkin, D. Pryimachenko, V. Prokopenko, K. Sandrovskyi, V. Chentsov, V. Chyzhovich, A. Chumachenko and others.

Basic content. The importance of the development of Ukrainian-Polish cooperation in customs affairs in the context of intensified processes of economic integration between the two countries is caused primarily by strategic imperatives of the EU regional policy, which is currently developed in the aspect of European
integration. As regional component plays a more active role in the EU politics nowadays and strategic importance of regional factors is caused by circumstances, connected with the modern process of European integration, in particular with the policy of the EU enlargement to the East.

The formation and development of Ukraine's international customs cooperation took place simultaneously with the formation and development of its statehood and directly depended on the appearance of its own customs system.

Today Ukraine has an expanded legal and regulatory framework that entitles the customs authorities of Ukraine to establish and maintain international contacts in the field of customs with the customs authorities of foreign countries as well as with international organizations, whose regulations provide the possibility of cooperation on customs affairs.

Considering the legal principles of international cooperation on customs affairs, special attention should be paid to the paragraphs in the Customs Code of Ukraine. Ukraine's customs system complies with generally accepted in international practice classifications and coding of goods, customs regimes, customs statistics, and other generally accepted international rules and customs relations standards and ensures fulfilling international treaties obligations of Ukraine on customs affairs concluded in the manner prescribed by law. Ukraine's international customs cooperation with the international community is based on the generally recognized principles and norms of international law.

Development of international customs cooperation in Ukraine was declared as the main task for customs bodies of Ukraine.

The priority directions in customs cooperation can be represented schematically as following:

- carrying out joint activities to prevent, detect and deter smuggling;
- establishment of joint border crossing points;
- accomplishment of joint customs control at the border;
- coordinated application of customs control, filling in and mutual recognition of documents used by the customs authorities for customs procedures;
- taking joint, regular or one-off measures concerning customs legislation which are the competence of the customs authorities.

A schematic illustration of the above-mentioned areas of international cooperation is provided in Figure 1.
Yevgen Garmash, Yurii Petrunia, *International Customs Cooperation*

**Fig. 1. Directions of international customs cooperation**

The Polish Republic was and remains among the main strategic partners of Ukraine in foreign relations as well as in the field of customs. This fact is confirmed by the continuing increase in trade between the two countries, in the last two years the trade turnover between Poland and Ukraine increased by over 30 percent and is 6 billion dollar. The structure of Ukrainian exports and Polish imports suggests that these products contribute to the development of domestic production in both countries. This is undoubtedly the result of effective cooperation between customs services of Ukraine and Poland and the implementation of the agreements and conditions of the concluded international treaties. So, let's make a more detailed review of cooperation between Ukraine and Poland.

The basis for the development of cooperation in customs affairs between Ukraine and Poland was the agreement between the Governments of the two countries on cooperation and mutual assistance in customs affairs, signed on December 18, 1995. As following the customs legislation is one of the most important principles of international trade and mutual assistance of customs bodies improves effectiveness in fighting against acts contrary to customs legislation, taking into consideration the recommendations of the Customs Cooperation Council signed on December 5, 1953 about mutual administrative assistance, on June 8, 1971 the
governments of Poland and Ukraine agreed on such main ways and directions of cooperation between the customs authorities:

- exchange of customs officials to familiarize them with technical control means that are used in practice and have mutual interest;
- training and assistance in the improvement of professional skills of customs officers;
- exchange of experts on customs issues;
- exchange of professional, scientific and technical information on customs matters.

Also it is necessary to mention other most important institutions of the Ukrainian-Polish cooperation. Support and development of the current level of partnership between Ukraine and Poland highly depends on maintaining the current political contacts, strengthening of social dialogue that concerns national consortium, and on successful reform policy in Ukraine. **There is a number of already existing regular institutions of Ukrainian-Polish cooperation helping to achieve the above mentioned objectives:**

1. **Advisory Committee of Presidents of Ukraine and Poland.** The first sitting of the Committee was took place on 27 May 1993. The Committee deals with problems of regional security, strategy for economic cooperation, problems of national minorities, issues of regional cooperation and the creation of new routes for transporting energy. The Committee provides an opportunity to carry out current bilateral consultations on the most urgent issues for both sides.

2. **Ukrainian-Polish joint commission on trade and economic cooperation.** The Commission was established in January 1993. It is a main, in a broad sense, institutional form of economic cooperation between Ukraine and Poland. It is represented by all concerned ministries and departments of both countries.

3. **Ukrainian-Polish economic forum.** It was founded in 1998 in Rzeszow. This is a formula of annual meetings, providing Ukrainian and Polish businessmen with possibility to exchange reform experiences and to presentate cooperation offers, and discuss issues related to the common search for sponsors for certain projects. **Representatives of Ukrainian and Polish governments, politicians, parliamentarians and businessmen are invited to participate in the meetings of the Forum.**

4. **Ukrainian-Polish and Polish-Ukrainian parliamentary groups.**

5. **Ukrainian-Polish / Polish-Ukrainian Forum** was established in 1992, its activity was continued in 1999. It brings together prominent representatives of science and culture of our countries. The idea of Ukrainian-Polish university, among others, received active support in the Forum;
6. Regular Ukrainian-Polish Conference on European Integration. Its organizational meeting was held in March 1999. Work of the Conference is governed by Deputy Foreign Minister of Ukraine and Poland. It is represented by all concerned ministries and departments of both countries. Patronage over the conference is carried out by Prime Ministers of Ukraine and Poland. Four meetings of the Conference have been already held, which is a form of transmission to Ukrainian partners of Polish integration experience, knowledge about the process of joining the EU, it also makes possible to carry out extensive analysis of the Ukrainian-Polish relations against the background of approaching both countries to the European Union.

7. Polish-American-Ukrainian Cooperation Initiative. Cooperation of governments of Poland, the USA and Ukraine within PAUCI (the idea of its establishment was born in Kiev in 1998) covers three areas: macro-economic reforms, development of small and medium enterprises, and the formation of local government. PAUCI task is to support economic reforms in Ukraine by transferring the Polish experience. Especially important is the practice of cooperation of non-governmental organizations in three countries. More than 30 grants have been assigned Within PAUCI.

8. Polish Institute in Kyiv. This institute, which has been existing in the capital of Ukraine for two years, has become one of the important cultural centers.

The most important and successful projects of cooperation in customs affairs are the following:

1. Information exchange, i.e. Ukrainian or Polish side receives information about the vehicle and its cargo before it actually crosses the border. It gives both sides the opportunity to effectively confront the customs law breaking.

2. Early Warning System, which enables to prevent the formation of queues at the border. This is a new form of information exchange at the level of heads of posts, customs chiefs and Heads of customs services. (Using this system allows you to inform the customs authorities in case of the queue if the number of declared vehicles falls below the optimal quantity specified for the checkpoint, and the waiting time in the queue is: for passenger traffic – more than 2 hours, for cargo traffic - more than 6 hours).

3. Starting a pilot project on controlling empty vehicles using «Fast Way» in international checkpoint for road transport „Krakivets-Korchova” in the direction of exit from Ukraine/entry to Poland, which will significantly increase throughput.

4. Joint customs control on Ukrainian-Polish border, which is at the checkpoints „Smilnytsia-Krostsenko” and „Ustylug-Zosin” and other.
Listed above activities and other arrangements on cooperation of customs administrations between Ukraine and Poland contribute to specific positive changes on Ukrainian-Polish border.

**Conclusions.** For Ukraine and Poland globalization is an essential precondition for the implementation their potential in the economy of the XXI century. It provides sufficient dynamics of international markets and creates good preconditions for the full integration of our countries into the world economy. At the same time determination of its place in the international division of labor, search for integration vectors and effective forms of cooperation in the field of customs affairs – are the tasks that our countries should solve on the basis of the formation of an appropriate strategy for development cooperation directed in the distant future. Attention should be paid to the modern development of the Ukrainian-Polish border cooperation that takes place simultaneously on several levels.

On the one hand, it is strengthening of foreign economic relations of enterprises and promoting cross-border business, on the other hand, it is increasing interaction of public organizations and social movements on both sides of the border, formation of joint associations or European regions, thirdly, establishing coordinated activities of state authorities, customs administrations and local authorities. One can not ignore such aspect of cross-border cooperation as cooperation of scientific and educational establishments, in particular the formation of innovative models of development of border areas based on sharing experiences and common use of industrial potential and infrastructure.

Problems of cross-border cooperation is becoming more urgent in theoretical aspect (because fundamental researches in the field of cross-border studies are practically not conducted), as well as in terms of practical results for Ukraine, because after the last wave of the EU enlargement cross-border cooperation may become one of the most effective instruments of European integration for our country.

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Yevgen Garmash, Yurii Petrunia, *International Customs Cooperation*


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