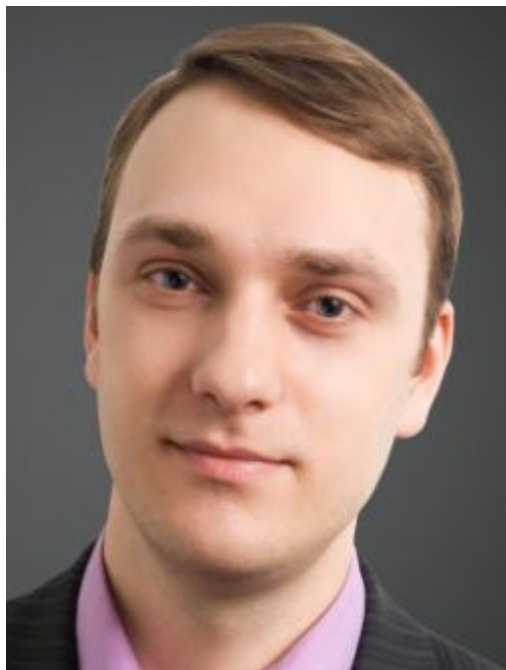


Pre-Arrival Notification of Imported Goods in the Customs Union

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The Russia, Belarus and Kazakhstan Customs Union introduces pre-arrival notification of goods imports.

Recommendations on the introduction of pre-arrival notification of goods movements are contained in the World Customs Organization Framework of Standards to Secure and Facilitate Global Trade. By bringing pre-arrival notification into effect from 17 June 2012 by Resolution of the Customs Union Commission No. 899, the Russia, Belarus and Kazakhstan Customs Union (the Customs Union) is drawing closer to full implementation of the given framework standards and is following in the wake of the customs administration of the United States and the European Union countries.

In contrast to these other countries, however, the Customs Union has so far rolled out the pre-arrival notification requirements only to imports by road. It is not necessary to notify customs in advance of shipments arriving by other means of transport (by sea, air or rail). Even so, pre-arrival notification pilot projects are already being implemented in Russia with respect to, for example, sea transport. There is no need, either, to notify customs of imports of international postal dispatches, goods for eliminating emergencies, goods belonging to individuals, military or diplomatic freight.

The legal essence of the pre-arrival notification requirement is quite simple, consisting of the following. Any interested party involved in the delivery of goods is required to notify customs in advance (two hours before the vehicle arrives at the Customs Union border) of the importation of goods on to the customs territory of the Customs Union.

Such an interested party may be a transport or shipping company, a customs broker (representative), freight consignor or consignee, etc.

What information should be provided to customs? Primarily information about:

- supply participants (consignor, consignee, declarant, carrier),
- the goods (description, HS or TN VED code, quantity, weight, value),
- number of freight units,
- the vehicle,
- countries of departure and destination (including the ultimate destination point),
- time and place of arrival of the goods, plus some other information.

Pre-arrival notification is made by electronic means of communication. This raises the question of which customs authority the advance information should be submitted to. The fact is that there is currently no unified information system linking the customs administrations of the Customs Union member countries. For this reason, the pre-arrival notification should be sent to customs in the country through which the goods are imported into the Customs Union; it is not important in which country the recipient is located. For instance, if the freight is traveling from Germany to Russia through Belarus, it is the Belarussian customs that should receive the pre-arrival notification.

Each country has its own procedure for submission of the pre-arrival notification. In Russia, the notification may be submitted via the web-portal edata.customs.ru/Pages/Default.aspx; in Kazakhstan through the web-portal pi.customs.kz; in Belarus, so far only by connecting to the information systems of the Republic of Belarus customs (AS "PI"). The most convenient format is, of course, that offered by Russia and Kazakhstan, since anyone with just Internet access can submit the pre-arrival notification.

The fact that the customs authority of the Republic of Belarus lacks such a web-portal technology is naturally an inconvenience for participants in international freight movements. In order to fulfill the pre-arrival notification requirement, they have to purchase from RUP Beltamozhservis and install special software or make use of the paid services provided by the given Belarussian company, through which pre-arrival notification may be submitted.

Once the pre-arrival information has been submitted electronically, you receive a unique freight identification number (UINP), which the carrier provides to the customs official at the border.

The advance information must allow customs to analyze in advance the information about the delivery by means of the risk management system and to choose subjects for additional control and the degree of inspection.

The purpose of the given measure and of the framework standards is, on the one hand, to ensure the safety of international freight deliveries and, on the other hand, to promote good faith in international trade. As a result, freight with no risk features should undergo frontier customs formalities without delays, whereas one with a high degree of risk will be subjected to thorough control.

It should be noted that pre-arrival notification can only have the desired effect with a well-organized customs risk management system. Yet many experts doubt its effectiveness, since the Russian risk management system does not yet allow optimal identification of freight and goods with a really high degree of risk. Freight often ends up in the risky category

according to formal, insignificant factors, by virtue of technical discrepancies.

Even so, pre-arrival notification might speed up customs formalities on the border. The fact is that pre-arrival notification will be used in the future as an electronic version of a transit declaration, which will save the carrier's and the customs official's time at the border crossing.

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