

professional career each employee takes an oath in which he/she swears to uphold the honor and dignity of the customs authority official; to protect the economic security of the Republic of Belarus; to be honest, disciplined, vigilant when performing his/her duty; to protect the rights, freedoms, and legitimate interests of the citizens, the society, and the State from criminal and other unlawful encroachments.

In addition, some other measures have been taken in our country to reduce the corruption risks and to create favorable conditions for the business sector, likewise: the electronic declaration of goods, the contactless methods of work, the remote release of the technologies, the reduction of the release time, the customs control which is based on the risk management system, the activities of the public advisory councils at the central and regional levels, and more.

In conclusion, ethics in business and customs are essential to ensure moral and ethical standards in the international trade. Companies and customs authorities must work together to ensure fair and transparent trade, to show respect for the human rights and to protect the environment. Only then can the international trade be successful and sustainable for all its participants.

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## **THE ROLE OF ANTIDUMPING MEASURES WHEN ENSURING ECONOMIC DEVELOPMENT**

*Research Field:*

*Safe Business Environment for the Economic Development*

Much attention is paid to business activities in current economic conditions. The development of this segment is important since the domestic production is the part of the national economic system and it makes a significant contribution to the socio-economic development. The measures implemented in this direction are national and supranational in their nature.

The entrepreneurship and the domestic goods production in the Republic of Belarus has been developing for almost 10 years within the framework of the Eurasian Economic Union (hereinafter referred to as the EAEU), one of the tasks of which is to support and protect the producers of the EAEU domestic market. The measures to protect the domestic market include

special, compensatory, and anti-dumping ones; the latter of which are used much more often than others<sup>1</sup>.

The measures to protect the domestic market are designed with the aim to equalize the opportunities between foreign and domestic producers for the national consumer by creating financial barriers when one imports goods into the customs territory of the EAEU. Funds that are raised with the help of the anti-dumping measures application in order to protect the domestic market of the EAEU and its member states participate in the formation of the entrepreneurial and industrial activities of the Republic of Belarus.

In the context of the increased struggle between foreign and domestic producers, supporting the latter becomes the priority for the State's trade policy. To increase their influence on the international market, foreign manufacturers often resort to eliminate competitors by lowering prices of goods unfairly, that is, dumping<sup>2</sup>.

In order to combat this phenomenon, the commission introduces anti-dumping measures. Anti-dumping measures presuppose the increase in payable fees when crossing the customs border, which means they become a kind of barrier to free trade. Such fees can be used only in order to support emerging sectors of the economy, as well as to protect the metallurgical and chemical industries<sup>3</sup>.

The implementation of the anti-dumping protective measures is preceded by a certain anti-dumping investigation which is conducted by a person who is authorized by the Eurasian Economic Commission. During the anti-dumping investigation procedure, the main aspects and/or obstacles are identified; the ones that the initiators of the investigation and the producers who are accused of dumping may face.

The Department for the Protection of the Internal Market of the Eurasian Economic Commission is vested with the authority to conduct the anti-dumping investigations.

First of all, the anti-dumping legislation enshrines the definition of dumping. At the same time, dumping should be distinguished from selling goods at prices arising from reasonable low costs or higher labor productivity. The key criterion for determining dumping is the ratio of the export price to the “normal” price. A product is considered to be dumped if the export price is lower than the comparable price at which a similar product is sold via normal trade channels in the exporting country. The “normal” price is usually based on the prices paid for the commodity

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<sup>1</sup> Customs Code of the EAEU// [Electronic resource] //— Access mode: <http://pravo.by/document/?guid=12551&p0=...> — Date of access: 03/01/2023.

<sup>2</sup> Koval A.G., Sutyryn S.F., Trofimenko O.Yu. Protection of national producers within the framework of the WTO // Bulletin of St. Petersburg University. Ser.5. Economy. 2014. Issue 1 P.53-70.

<sup>3</sup> Gadyrshin I. Opportunities to reduce the role of anti-dumping measures in the course of economic integration // Society and Economics. 2011. No. 7. pp.143-153.

during the ordinary course of trade between an independent supplier and a buyer in the exporting country.

If a domestic manufacturer intends to initiate an anti-dumping investigation it is necessary not only to identify the fact of the alleged underpricing by a foreign manufacturer of identical or similar goods, but also to quantify the economic damage caused, as well as to establish a causal relationship between these indicators and file a complaint to the body authorized to conduct the anti-dumping investigations.

As for the damage criteria, the customs regulation assumes the following. The damage caused by foreign manufacturers is assessed according to the following:

- the volume of goods imported under the dumping conditions (in absolute terms or in relative terms in relation to the production volume at the domestic market);
- the price of the supplied goods in order to determine the difference between the price of a similar product on the domestic market;
- the aftereffect for the production within the EAEU, primarily in terms of the capacity utilization, stocks, sales, profit margins, employment, etc.

When establishing the fact of dumping, the damage to the industry of the importing country, the threat of such damage or obstacles for the creation of a new branch of the economy are considered as the subject to assessment. After fulfilling the above conditions, a WTO member country or the State which adopts its foreign trade policy has the right to impose an anti-dumping duty not exceeding the dumping margin for this product.

A dumping complaint must be filed by one or more domestic producers of goods which account for more than 25 % of the production of a similar product in the EAEU member states. If the total share of the production of a similar product by a domestic manufacturer exceeds 25 % within one of the member states, but does not reach this mark across the Union, the complaint may be rejected by the authorized body. Otherwise, an anti-dumping investigation begins in accordance with the established procedure<sup>1</sup>.

The final results of the investigation (except for the confidential information about the enterprise) are published in the public domain. If the fact of dumping by a foreign manufacturer has been established and proven (based on the evidence after the investigation made by the Department for the Protection of the Internal Market of the Eurasian Economic Commission) a decision to introduce the anti-dumping duty levied as an addition to the usual import duty will be made.

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<sup>1</sup> Agreement on the Application of Article VI of the General Agreement on Tariffs and Trade 1994// [Electronic resource] //— Access mode: <https://docs.cntd.ru/document/902340078> — Access date: 03/01/2023.

The application period of the anti-dumping duty depends on the amount of the economic damage inflicted on the EAEU economy, and lasts as a rule for 5 years. However, this period may be extended until the moment of complete neutralization (that is, compensation) of the damage caused. In addition to the introduction of the anti-dumping duty, another anti-dumping measure may be taken, that is, the approval of the voluntary price commitments accepted by the exporter.

In the context of the dynamically changing world economy as well as due to the development of the information technologies, it may be necessary to provide the automated detection of dumping facts for the timely application of the preventive measures.

Producers of the strategically important goods should be properly informed about economic and legal instruments to protect their products from foreign competition. With the help of the continuous interaction system it is necessary to increase the awareness of entrepreneurs about the opportunities and mechanisms for influencing the trade relations which are available to the Eurasian Economic Commission, for the measures to protect the domestic market, including the specifics of conducting anti-dumping investigations.

The key to the successful foreign economic policy aimed at protecting national interests can be seen in having effective relationships between the authorized bodies and private entrepreneurs of the domestic industry<sup>1</sup>. The next important condition for regulating the application of the measures to protect the domestic market is the development of the uniform methods for calculating and establishing a dumping margin in order to reduce the risk of becoming a defendant in an anti-dumping dispute regarding the illegal introduction of anti-dumping protective measures in relation to imported goods. Regular monitoring of foreign trade policy and the application of the measures to protect the domestic market will make it possible to track the main trends in the development of the industry of the third countries and to use response measures in the internal market of the EAEU. From a technological and production viewpoint, the introduction of new technologies that reduce the cost of finished products without losing the proper level of quality will significantly increase the interest of both domestic and foreign consumers and will improve the reputation of such manufacturers in the international arena.

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<sup>1</sup> Hoekman B.,Kostecki M.The Political Economy of the World Trading System :WTO and Beyond. Oxford University Press,2001.163p.