

Currently, more and more digital technologies are being introduced during customs control. The digitalization of customs control is based on the use of technologies that will automatically perform customs operations at places where goods are moved across the customs border of the Eurasian Economic Union, and is aimed at creating an intelligent checkpoint.

An intelligent checkpoint must operate under the control of an automatic system based on preliminary information data, on a risk management system, and on the results of intelligent processing of the information received with the help of some technical means of automatic control. Sensors which capture the technical characteristics of the transported goods and vehicles which are associated with artificial intelligence will play an important role in the intelligent checkpoint. That will automatically detect and prevent the illegal movement of radioactive substances, nuclear materials, and radioactive waste across the State border of the Republic of Belarus.

In the Republic of Belarus the introduction of artificial intelligence technologies began at the Kozlovichi road checkpoint in 2011 by commissioning the country's first stationary inspection and an inspection complex designed for X-ray scanning of cargo vehicles¹. Artificial intelligence identified goods which were banned by analyzing the images with the information that was stated in the declarations of goods.

Summing up, artificial intelligence has a huge potential for transforming customs control processes. It increases efficiency, improves accuracy, automates basic tasks, and facilitates data analysis. While there are ethical and practical issues which need to be addressed, artificial intelligence will undoubtedly play an important role in securing borders and facilitating legitimate trade. Responsible and reasonable use of artificial intelligence can become a powerful tool for improving customs operations, and that will make customs control more effective.

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**LEGAL REGULATION OF BIOMATERIAL TRANSPORTATION
ACROSS THE BORDER: TRANSPORTATION OF GERM CELLS AND
EMBRYOS**

¹ Stationary inspection and inspection complex [Electronic resource] – Access mode: <https://stroytrest8.by/be/about-company/projects/alreadybuild/304-idk.html> - Access date:24.04.2024

*Research Field:
Customs and business: problems of cooperation.*

The advancement of the reproductive medicine has made significant progress in recent years. The control of infertility with the help of in vitro fertilization (hereinafter - IVF) allows women realize their dream of having a child of their own. This procedure would be impossible without cryopreservation.

The aim of the article is to investigate the existing problems of legal regulation of biomaterial transportation in the Republic of Belarus.

The methodological basis of the research is the methods of analysis, synthesis, deduction and analogy, methods of observation and description.

Cryopreservation is the process of preserving biological material at very low temperatures¹. Nitrogen allows reaching a temperature of minus 196⁰ C. By means of cryopreservation it is possible to store sex cells and tissues as well as embryos for further fertilization procedures.

The use of sex cells and embryos is often performed in the clinic in the country of collection and storage of biological material. However, there are cases when there is a need to transport cells and tissues subjected to cryopreservation procedure to another country. This is where difficulties can arise.

The problems concerning the transportation and border-crossing are regulated by the 81st Article of the Customs Code of the Eurasian Economic Union, namely "The priority order of customs operations with certain categories of goods in respect of which customs operations are carried out on a priority basis", "The list of goods other than those provided by the Customs Code of the Eurasian Economic Union" approved by the Eurasian Economic Commission on July 15th, 2022 № 118, "The list of c goods subjected to the rapid deterioration in respect of which customs operations are carried out on a priority basis".

Still there exists a risk of irreversible deterioration of biomaterial while waiting for clearance, customs control and placement under customs procedures. That can affect in reduction or complete absence of positive results in IVF. At present, there also exists a risk of abuse of the sex cells movement, for example, for illegal purposes or without the consent of all parties involved. But the most frequent case is the movement of sex cells and embryos across the border without accompanying documents. For example, a woman from Vladikavkaz crossed the border with Georgia with seven tubes filled with egg cells in the traveler's possession. When the officers

¹ What is cryopreservation? Relevance of the technique in medicine [Electronic resource]: - Mode of access: <https://vc.ru/u/2274206-anna/814113-chto-takoe-kriokonservaciya-aktualnost-metodiki-v-medicine> - Date of access: 17.02.2024.

asked her to show a certificate from the Federal Service for Technical and Export Control, the woman replied that she had not had such a document¹.

In addition, there have already been cases of the illegal transportation of sex cells and embryos for subsequent sale as well as their use for the growth of stem cells. For example, Nigerian IVF clinics buy biomaterial from all over the country. They use it not only for the fertilization of infertile couples, but also they use it in European and American laboratories for the embryonic stem cell research. Companies charge wealthy clients up to \$1.5 million and pay female donors in Nigeria 100,000-120,000 naira per a cell. At the exchange rate, in dollar terms, women get a little more than 104 dollars, the rest is the company's profit². Thus it violates not only the national legislation, but also the ethical considerations. After all, the transportation and the biological material sale requires the authorization and the accompanying documents; and it is a direct blow to the country's economy since this activity is often not legalized and therefore not taxed.

In the Republic of Belarus such an experience is relatively new and it is insufficiently regulated by some legislative acts. This increases the level of possible criminal activity in this sphere. Due to the poor awareness of clinics in the Republic of Belarus engaged in the collection, storage and transportation of sex cells and embryos, the risks of violation of the national and international legislation are high.

At the moment, the transportation of sex cells and embryos is possible only if there is an opinion (an authorization document). The decision to issue an opinion (a permit document) for the transportation across the border is signed by the Minister of Health or the authorized deputy, and is issued to the applicant in two copies on the day of the decision. Samples of seals and signatures of the Ministry of Health officials are authorized to sign conclusions (permissive documents) and shall be submitted to the State Customs Committee. The conclusion (an authorization document) shall be issued for one year only since the date of issue³.

In the Republic of Belarus the issue of the liability for committing crimes in the field of reproductive rights is topical. At present, it is possible to bring a criminal to the responsibility only using the Article 13.12 "the Violation of the order of acquisition, storage, use in production,

¹ Is it possible to transport eggs to another country independently? [Electronic resource]: - Mode of access: <https://reprobank.ru/novosti/novosti-reprobanka/samostoyatelno-perevezti-> Date of access: 18.02.2024.

² Eggs for export: the way to the continuation of birth or to business [Electronic resource]: - Mode of access: <https://dzen.ru/a/ZaaM4DIlfH2puLDd-> Date of access: 17.02.2024.

³ Regulations on importation into the customs territory of the Eurasian Economic Union and exportation from the customs territory of the Eurasian Economic Union of human organs and tissues, blood and its components, samples of human biological materials [Electronic resource]: Decision of the EEC Collegium, April 21. 2015, № 30 // National Legal Internet Portal of the Republic of Belarus. - Access mode: [https://eec.eaeunion.org/upload/files/catr/EP.pdf/appendix %203.pdf](https://eec.eaeunion.org/upload/files/catr/EP.pdf/appendix%203.pdf) - Date of access: 17.02.2024.

transportation, release and sale of goods", the Article 15.5 "Non-declaration or the submission of false information about goods" of the Code of the Administrative Offences of the Republic of Belarus. As well as under the Article 228 "Smuggling" and the Article 228¹ "Illegal transfer of goods across the customs border" of the Criminal Code of the Republic of Belarus. These articles are universal and one can rarely assume the expediency of their application in the case of sex cells and embryos.

Thus, using the analysis of the normative legal acts of the Republic of Belarus as well as the information contained on official websites of reproductive medicine clinics, it is necessary to:

1. Have qualitative legal information about the subjects of reproductive medicine;
2. Include germ cells and embryos in the List of Categories of Goods subjected to rapid deterioration or in the List of Goods other than those provided by the Customs Code of the Eurasian Economic Union in respect of which customs operations are performed as a matter of priority;
3. Establish the administrative and criminal liability for committing crimes related to sex cells and embryos.

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**THEORY AND PRACTICE OF APPLICATION OF NAVIGATION SEALS
BY CUSTOMS AUTHORITIES**

*Research Field:
Modern technical means as a basis of the effective border management*

Customs regulation is always at the intersection of government and business interests. It is important for government authorities to ensure economic security. Business needs simple and understandable customs regulation, selective and predictable customs control and absence of unreasonable financial costs.

The evolution of customs regulation is to some extent connected with the implementation of modern electronic technologies, the crowding out of paper workflow and the maximum digitalization of all processes. A good example of this is the creation of a mechanism for tracking cargo transportation within the EAEU using navigation seals. It is used in the transportation of