

прекурсоров и аналогов, оружия и боеприпасов (их компонентов), а также партий товаров, а также незаконное перемещение через территорию Республики Беларусь радиоактивных, химических, биологических и других опасных веществ и материалов.

**UNIVERSITY OF CIVIL PROTECTION OF THE
MINISTRY OF EMERGENCY SITUATIONS OF THE
REPUBLIC OF BELARUS
УНИВЕРСИТЕТ ГРАЖДАНСКОЙ ЗАЩИТЫ
МИНИСТЕРСТВА ПО ЧРЕЗВЫЧАЙНЫМ
СИТУАЦИЯМ РЕСПУБЛИКИ БЕЛАРУСЬ**

**Nazarchuk Maksim Aleksandrovich. *Transboundary
Catastrophe Management: International & National standards***
The research advisor: Vasyuk Galina Sergeevna, seniour lecturer

The phrase “emergency situation” is sufficiently entrenched in the life and consciousness of modern people. This fact is primarily connected with the idea that the history of the earth civilization is inextricably linked with emergencies, which annually result in the death of about 3 million people and expenses ranging from 50 to 100 billion dollars. In addition, according to the United Nations Office for the Coordination of Humanitarian Affairs, most natural and technogenic disasters are now taking on such proportions that the elimination of their consequences can become a serious economic challenge for both highly developed and developing countries and vary from 5 to 40% of GDP.

In this context, humanitarian disasters which can happen anywhere and anytime should be mentioned. Whatever their reason could be – flood, drought, earthquake, hurricane, fire, explosion, accident, epidemic or even a military conflict – they always lead to deaths, displacement, disability to exist on one’s own and bring enormous suffering. In this regard, along with the promotion of sustainable development, political and financial cooperation, humanitarian assistance is seen as an element of the

overall peacebuilding effort, as well as a priority for both international organizations and States⁷⁹.

All in all, overall effectiveness of humanitarian assistance depends on a number of diverse factors (the degree of intensity, regularity of humanitarian subject-object relations; the reasonableness, rationality of the response mechanism; the level of coordination, accountability, etc.), one of the most important of which is the fundamental formation of interstate cooperation, in particular – at the level of individual bodies, especially – Customs. It is conditioned by the essence of humanitarian assistance, which is impossible without transboundary movement.

Given its position at borders, Customs plays a key role in facilitating the expeditious movement of goods sent as emergency humanitarian aid and when disasters occur, cross-border trade rules applicable to consignments containing humanitarian assistance – particularly for highly regulated items such as foodstuffs, medication, medical equipment, vehicles and telecommunications – are complicated by the imperative need for speed, the unfamiliarity of some donors with local rules, and the disruption of normal procedures⁸⁰.

In practice when a humanitarian emergency is declared, Customs administrations are often ill-prepared to process relief consignments which arrive en masse in a very short period of time. Import formalities are frequently too lengthy, particularly if another administration is involved in the Customs clearance, such as when a certificate or authorization is required, for example⁸¹. This problem picked during 2013–2015 Ebola epidemic in West

⁷⁹Пармон, В. В. Международное сотрудничество Министерства по чрезвычайным ситуациям в области защиты от чрезвычайных ситуаций [Электронный ресурс] / В. В. Пармон // УМК по дисциплине «Тактика проведения аварийно-спасательных работ». – Режим доступа: http://do.ucp.by/pluginfile.php/2751/mod_folder/content/0/t_6.6._Mezhdunarodnoe_sotrudnichestvo.pptx?forcedownload=1. – Дата доступа: 10.04.2019.

⁸⁰Natural Disaster Relief [Electronic resource] // World Customs Organization. – Mode of access: <http://www.wcoomd.org/en/topics/facilitation/activities-and-programmes/natural-disaster.aspx>. – Date of access: 10.04.2019.

⁸¹Gerard, E. WCO C-RED Project: unprecedented cooperation between Customs administrations and humanitarian organizations to develop a more effective response to epidemics / E. Gerard // WCO news. – 2018. – № 86. – P. 50.

Africa, when warehouse space at ports and airports was inadequate, inventory capabilities were chaotic, and the contents of containers were not specified or were indicated in an unknown foreign language. Consequently the nature of the problem was identified by the specialists in the following way: «The Ebola response was not primarily a medical response, but more about logistics and supplies»⁸².

Going into details, it should be mentioned that the legislative basis for relief consignments facilitation measures is stipulated by the Revised Kyoto Convention on the Simplification and Harmonization of Customs Procedures and involves such incentives as:

1) top priority clearance of relief consignments for export, transit, temporary admission and import;

2) the possibility to use a simplified Goods declaration or incomplete Goods declaration and lodge it prior to the arrival of the goods; the release upon arrival;

3) clearance outside the designated hours of business or away from Customs offices and the waiver of any charges in this respect;

4) examination or sampling of goods only in exceptional circumstances;

5) exemption from any duties and taxes payable as well as prohibitions and restrictions.

Obviously, very few Customs administrations are adequately prepared to perform their functions concerning emergency humanitarian aid in accordance with the established rules. The reasons for that and the main ways of their neutralizing are shown in the table⁸³⁸⁴ below.

⁸²Gerard, E. WCO C-RED Project: unprecedented cooperation between Customs administrations and humanitarian organizations to develop a more effective response to epidemics / E. Gerard // WCO news. – 2018. – № 86. – P. 51.

⁸³Turner, R. Barriers to customs entry at the time of disaster in developing countries: mitigating the delay of life-saving materials / R. Turner // World Customs Journal. – 2015. – Vol. 9, № 1. – P. 3–13.

⁸⁴Smoothing the way for humanitarian aid: the UN's life-saving ASYREC partnership [Electronic resource] // World United Nations Conference on Trade and Development. –

Reason	Meaning	Handling
backlog & fatigue	More consignments to be processed require more time to work for Customs officers. After all, they switch to 24/7 schedule, and the general efficiency declines because of the exhaustion.	Work overtime management; human resource allocation (eg. tasks diversification – processing standard consignments and processing approvals needing additional approvals).
burden formalities conjugated with overall disorganization	The absence of links between Customs administrations, interested ministries, carriers cause terrible confusions with the goods needed, massive record-keeping and different verifications, etc.	The use of web-platforms, information technologies (eg. ASYCUDA add-on ASYREC, the Virtual on-site operations coordination center, Global Disaster Alert and Coordination Center) and the “One stop” or “Single Window” principles.
lack of awareness	Sometimes Customs officers have very little information on facilitation instruments available to them, how they are used, and how they can improve the way that they work if adopted.	Capacity building programs (eg. seminars organized by UNOCHA, the WCO, the IFRC).

Above mentioned solutions can also be reinforced by signing a special agreement concerning measures to expedite the import, export and transit of relief consignments and possessions of relief personnel in the event of disasters and emergencies between the UN and any State, which establishes the obligation for all Customs at the points of entry and (or) exit, whether or not they have been informed by their superior administration of a particular relief consignment and (or) possessions of disaster relief personnel, to apply the basic simplified regime when relief goods are transporting⁸⁵. The adoption of such agreement fully eliminates all potential possibilities to avoid acting in compliance with the Kyoto Convention.

With regard to the EAEU, it is worth to be outlined that practically all provisions of the Kyoto Convention related to the importation of humanitarian goods are implemented in the supranational legislation, which sets out:

Mode of access: <https://unctad.org/en/pages/newsdetails.aspx?OriginalVersionID=1673>. – Date of access: 10.04.2019.

⁸⁵Model of Agreement Concerning Measures to Expedite the Import, Export and Transit of Relief Consignments and possessions of relief personnel [Electronic resource] // World Customs Organization. – Mode of access: <http://www.wcoomd.org/-/media/wco/public/global/pdf/topics/facilitation/activities-and-programmes/natural-disaster/united-nation-model-of-agreement.pdf?db=web>. – Date of access: 10.04.2019.

1) top priority clearance of relief consignments (Article 81, The Customs Code of the EAEU);

2) the possibility to release goods prior to the lodgment of Customs declaration (Article 82, The Customs Code of the EAEU);

3) exemption from import duties (The Protocol On Single Customs-tariff Regulation, The Treaty on the EAEU).

As to the exportation of the relief consignments, national legislation is applied. The Decree of the President № 269 “On the Adoption of the Order of Providing Humanitarian Aid by the Republic of Belarus” states that the State Customs Committee ensures top priority Customs control performing and declaring for Customs procedures in relation to humanitarian assistance goods, which are exported.

Thus, transboundary catastrophe management can be described as a holistic complex system built from many elements. One of its main blocks is the indispensable interaction with Customs authorities, which can take the form of the protracted delays connected with imperfections of the Customs regulation order. This can have an impact on the number of lives saved in the immediate aftermath of a disaster, that’s why the importance of reducing delays should not be dismissed. The way of addressing this challenge lies in the realization of the fact that the system will function appropriately only if it is improved in its entirety not from the side of just one individual actor⁵. It will give the system an opportunity to meet the international standards and be able to act both as donor and recipient of the international assistance.

Назарчук Максим Александрович. *Трансграничное управление катастрофами: международные и национальные стандарты*

Научный руководитель: Васюк Галина Сергеевна, старший преподаватель