

CAREC Workshop on Joint Customs Control

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Topic: Joint Control as a Form to Improve Export and Import Procedures in External Trade in the Kyrgyz Republic

Processes of globalization of trade and economic relations in the world raise the need for relevant reforms in customs regulations in foreign trade operations based on internationally recognized rules and application of modern administration methods intended to facilitate trade procedures and at the same time to ensure the effectiveness of customs control.

Due to geographic specifics of Central Asian countries, being landlocked countries which are situated at a great distance from potentially developed world economic centers and regions, the issues of border procedures simplification are the priority in reforming the system of state regulation in external trade for free movement of goods and services.

Addressing these issues predetermine a possibility of active participation in international trade turnovers and, consequently, development of the economic potential of the countries in the region. At the same time one should note that prospects for broadening trade potential of the Central Asian region in future should undoubtedly provide for deserving participation of countries from our region in global trade.

In recent years one can observe positive trends in Eurasian space in terms of understanding the need for creating favorable conditions for trade development and broadening transit corridors, which assumes unification and harmonization of the rules, implementing systemic reforms in public administration over cargo flows and transport sector reforms. Development of mechanisms for simplification of procedures is considered both at bilateral and multilateral levels within intergrational communities.

One of the technologies to control cargo flows is organization of joint control at the border. The experience of the states, which adopted this control mechanism, indicates that joint control is one of the effective measures to simplify procedures in international trade operations.

As for introduction of such a form of control in the Kyrgyz Republic, it is worth noting that legislation of the republic provides a legal basis for simplification of border procedures.

By issuing Law № 92 of the Kyrgyz Republic dated December 19, 1997, the Kyrgyz Republic adhered to the International Convention on Coordination of Conditions for Cargo Border Control.

The Kyrgyz Republic signed bilateral intergovernmental agreements on state border crossing points with the Republic of Kazakhstan, the Republic of Tajikistan and the Republic of Uzbekistan. The above mentioned agreements envisaged that, when necessary, the Parties shall create conditions for joint control. The procedure for joint

control organization and implementation will be specified in separate agreements among border control, customs and other concerned bodies of the Parties.

Since 2004 practical steps started to be taken to introduce the principle “two borders – one stop” (or “one-stop shop”) in the Kyrgyz Republic under implementation of the Agreement between the Government of the Republic of Kazakhstan and the Government of the Kyrgyz Republic on border crossing along Almaty-Bishkek route dated November 15, 1999 (ratified by KR Law № 24 as of February 16, 2002). In accordance with the joint order of the customs services of the Kyrgyz Republic (dated 28.10.05, № 5-4/271) and the Republic of Kazakhstan (dated 31.10.05, № 413) since November 1, 2005 joint customs control was introduced at 2 border-crossing points at the Kyrgyz-Kazakh border: Kordai (RK) and Ak-Tilek (KR), as well as a Temporary Technological Scheme for Interaction of Border of the Kyrgyz Republic and the Republic of Kazakhstan was introduced to carry out joint customs control.

At the same time the organization of joint customs control is only one of the elements of joint control, in this connection customs services of the Kyrgyz Republic and the Republic of Kazakhstan developed and prepared a draft Agreement between the Government of the Kyrgyz Republic and the Government of the Republic of Kazakhstan on joint control at the Kyrgyz – Kazakh state border.

The agreement on joint control at the Kyrgyz – Kazakh state border was signed between the Government of the Kyrgyz Republic and the Government of the Republic of Kazakhstan on July 4, 2006 in Astana.

This Agreement is a legal basis for introduction of “one-stop” joint control at the Kyrgyz – Kazakh state border, which assumes:

- Exchange of information on physical persons and goods and vehicles crossing the state border;
- Conducting joint checks, inspections, examinations by controlling bodies of the Parties at joint check points;
- Recognition and use of documents for goods prepared in accordance with national legislation of the Parties by controlling and other authorized bodies of the states of the Parties.

In 2008 as preparatory activities the customs services of the Parties prepared a draft Temporary technological scheme for individuals, goods and vehicles to cross the border to conduct pilot joint control at Chon-Kapka (KR) – Aisha-Bibi (RK) border crossing points.

The minutes of the working meeting of head of customs services of the Kyrgyz Republic and the Republic of Kazakhstan was signed on December 5, 2008 in Almaty, according to which the Temporary technological scheme to process individuals, goods and vehicles at the road BCPs Chon-Kapka - Aisha-Bibi at the Kyrgyz-Kazakh state border was approved.

To implement provisions of the Temporary technological scheme, the State Customs Committee of the Kyrgyz Republic issued order № 5-4/372 dated 24.12.2008 “On Pilot Testing of Joint Control at the Multilateral Road BCP Chon-Kapka - Aisha-Bibi at the Kyrgyz-Kazakh state border”.