Systemic recommendations — Business Ombudsman Council



30A Spas'ka Street, Kyiv, Ukraine, 04070, +380 (44) 237 74 01, info@boi.org.ua

**Report name** 

## **Issued recommendations**

Systemic report "problems with cross-border trading in

Ukraine"

To publish a consolidated Official List of Goods Subject to State Export Control Service on the official website of

the State Export Control Service. The Service must ensure that the List is updated regularly. Ministry for Development of Economy, Trade and Agriculture of Ukraine

State Export Control Service

### **Execution status**

## **Implemented**

— comments: In 2017, the Export Control Service has harmonized all changes to the Single List of Dual-Use Goods subject to Export Control, which in its structure corresponds to the List of Dual-Use Items of the European Union, given in Annex I to the Council Regulation (EC) No.428/2009 dated 5 May 2009, setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.

To ensure that the State Export Control Service complies with timeframes for state reviews and consideration of documents. To achieve this goal, complex measures can be recommended, together with the MEDT, including: introducing an integrated e-system of document flow to streamline the review process. The MEDT, as the supervisory body, can control timeframes; implementing the practice of having the causes of each delay in Implemented a state review justified before the supervisory body; applying fines to responsible managers based on monitoring by the Ministry.

Ministry for Development of Economy, Trade and Agriculture of Ukraine State Export Control Service

To organize the system of state evaluations of goods subject to export control in a way to optimize costs, resources and time for businesses. Businesses should have access to licensed expert organizations on the territory of Ukraine. The State Export Control Service should ensure the optimal infrastructure for dual-use goods evaluations, which includes (a) licensed expert organizations in export control for all types of dual-use goods, (b) information on the official web-page, (c) awareness-raising events for the business community that engage in foreign economic activity involving dual-use goods.

Ministry for Development of Economy, Trade and Agriculture of Ukraine State Export Control Service

To draft comprehensive User Guide on Strategic Goods and Services and have it adopted by the State Export Control Service. The guide should include: (i) a description of special international regimes; (ii) an outline of the international transfers of military and dual use goods" and the normative and legal acts adopted regulatory base; (iii) a list of authorized agencies; (iv) a description and categories of special goods; (v) the policy and regulations on the export, import and transit of special goods; (vi) a detailed description of licensing procedures, and so on.

Ministry for Development of Economy, Trade and Agriculture of Ukraine State Export Control Service

# **Implemented**

— comments: The list of expert organizations that have the authority to carry out activities related to the preliminary identification of goods in the field of state export control is posted on the official website of the State Export Control Service. Awareness-raising events for the business community that engage in foreign economic activity involving dual-use goods is carried out during seminars and conferences, as well as within the framework of the "hotline".

### **Implemented**

for its implementation. At the same time, the State Export Control Service conducts work on amendments to the current legislation in order to shorten the timing and optimize procedures for the provision of administrative services in the field of state export control, the approximation of procedures for national export control to the EU standards.