

The Impact of COVID-19 Induced Non-Tariff Measures on SPECA Countries' trade  
Patterns  
**Evidence from UNECE's survey of Freight Forwarders**

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ZERO DRAFT



## Note

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This report is issued in English and in Russian. It was not formally edited.

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## Preface

This assessment was prepared pursuant the Governing Council of the United Nations Special Programme for the Economies of Central Asia (SPECA) - Afghanistan, Azerbaijan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. The decision<sup>1</sup> stipulates preparing a study on regulatory and procedural barriers to trade in the sub-region, as per the “Concept Note for a Study on Regulatory and Procedural Barriers to Trade in the SPECA Subregion”.<sup>2</sup>

The assessment also forms part of UNECE’s rapid COVID-19 response within the context of the United Nations Development Account project “Transport and Trade Connectivity in the Age of Pandemics: UN solutions for contactless, seamless and collaborative transport and trade”.

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<sup>1</sup> Decision 11 (SPECA/GC/Dec/2019/11) in <http://www.unece.org/fileadmin/DAM/SPECA/documents/gc/session14/III. Decisions of the 14th session of the SPECA Governing Council English.pdf>

<sup>2</sup> <http://www.unece.org/fileadmin/DAM/SPECA/documents/gc/session14/SPECA.Concept Note ENG.pdf>

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The report benefited from comments by Mr. Mario Apostolov, Regional Advisor, UNECE Economic Cooperation and Trade Division.

## Abbreviations

BCP	Border Crossing Point
CAREC	Central Asia Regional Economic Cooperation
EAEU	Eurasian Economic Union
EU	European Union
ICT	Information and Communications Technology
IT	Information Technology
ITC	International Trade Centre
NTM	Non-Tariff Measure
PRC	People's Republic of China
SPECA	The United Nations Special Programme for the Economies of Central Asia
TRACECA	Transport Corridor Europe Caucasus Asia
UAE	United Arab Emirates
UNECE	United Nations Economic Commission for Europe
UN/CEFACT	United Nations Centre for Trade Facilitation and Electronic Business
WHO	World Health Organization
VAT	Value Added Tax

## Executive Summary

This report shows how non-tariff measures (NTMs) deployed by countries participating in the United Nations Special Programme for the Economies of Central Asia (SPECA)<sup>3</sup> - Afghanistan, Azerbaijan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan- and their partner countries to contain the spread of the COVID-19 pandemic influenced the region's trade patterns. It is based on extensive phone interviews, which were conducted over the course of June-August 2020 with 32 freight forwarders and a regional trade expert using UNECE's questionnaire. The questionnaire was developed drawing on the UNECE survey-based evaluation methodology,<sup>4</sup> with the aim of capturing:

- The transmission channels of the pandemic's effects and the influence of NTMs therein.
- The resulting supply chain disruptions.
- The ripple effects of supply chain disruptions on the region's trade patterns.

The assessment shows that SPECA countries limited restrictive NTMs to the minimum. These measures included restrictions on the import /export of certain goods, particularly medical equipment, to hedge against supply shortages. The measures were paralleled with temporary tax and customs exemptions to ease the financial burden of supply chain actors and address supply shortages.

NTMs operated alongside health protection measures in SPECA countries and partner countries, which involved, among others, border closures and special arrangements at border crossing points that remained open for business. The report shows that NTMs were not used to their full potential owing to the limited use of trade facilitation measures, particularly those associated with transitioning to a paperless trading environment. This not only aggravated the impact of the pandemic but also further undermined regional integration.

### NTMS were not used to their full potential

Trade facilitation measures, which are important for generating efficiencies and reducing physical contact to a minimum, did not figure prominently in the region's arsenal of COVID-19 containment measures. The limited use of trade facilitation measures reflects the deep-seated pre-pandemic capacity gaps, including:

- The lack of information and communications technology (ICT) infrastructure to provide readily accessible up-to-date information on applied trade-related rules and administrative procedures. Supply chain actors had to piece together such information from different sources and continued to do so during the pandemic. This created a high degree of business uncertainty that was exacerbated by the speed by

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<sup>3</sup> SPECA is jointly supported by the United Nations Economic Commission for Europe (UNECE) and the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) which provide overall support to the Programme.

<sup>4</sup> See UNECE (2013) Assessing Regulatory and Procedural Measures in Trade: An Evaluation Methodology (<https://www.unece.org/fileadmin/DAM/trade/Publications/ECE-TRADE-409E.pdf>). The methodology provides an overview of the key analytical parameters used and a sample of illustrative questionnaires

which NTMs and health protection measures were implemented. For several SPECA countries, the lack of adequate ICT capacities also manifested itself in the continued reliance on paper-based administrative procedures.

- Weaknesses in the national systems of quality infrastructure, particularly the lack of adequate conformity assessment bodies and market surveillance capacities to ensure compliance with health, safety and environmental protection requirements.
- Weaknesses in coordination mechanisms, which created inconsistencies in applied procedures at border crossing points, made it difficult for carriers to plan and increased the cost of trade by causing delays and additional product retesting.

### Trade disruptions

- Transparency was undermined by the lack of clarity over applied administrative procedures. Forwarders seem to be piecing together information from different sources and several lacked access to up-to-date information on COVID-19 trade and transit procedures in neighboring countries.
- Documentary requirements were issued in hard copies and some documents were difficult to obtain.
- Trade was undermined by severe disruptions in road freight traffic along trade corridors connecting SPECA countries with the People's Republic of China (PRC), Iran, Pakistan and the Russian Federation. The disruptions were caused by the closure of BCPs in Afghanistan, Azerbaijan, Kazakhstan Kyrgyzstan, Tajikistan, and Uzbekistan, which forced forwarders to make detours. The restrictions on the inflow of foreign drivers into SPECA counties was yet another contributing factor. Transport by rail was also challenging, owing to the time-consuming procedures associated with disinfecting wagons. The high rail transit fees throughout the Eurasian Economic Union (EAEU) territory was another complicating factor, which seemed to trigger non-EAEU countries to raise rail fees. Delays were inevitable.
- Regional trade was undermined by cumbersome border control procedures. Passing customs involved long waiting time due to lengthy fumigation procedures; cumbersome disinfection procedures; lengthy COVID-19 testing procedures; and, overreliance on physical inspection.

### Changes in trade patterns

Combined with dwindling demand, the above-mentioned trade disruptions resulted in marked changes in the region's trade patterns. Most notable is the decrease in inter-regional trade and the increased importance of the Russian Federation as a main supply source and outlet for the region's exports.

## Forwarding industry under stress

Most of the forwarders were unable to maintain operations beyond 4 to 6 months without financial assistance. Forwarders were also struggling with legal problems for failing to comply with the delivery terms.

## Proposed recommendation

The table contained in this executive summary proposes action-oriented recommendations for the SPECA countries' consideration as they forge ahead in fostering regional integration and building a stronger and more resilient economies in the aftermath of COVID-19. UNECE can assist the SPECA Working Group on Trade to implement the recommendations in areas where UNECE has developed recommendations, standards and practical tools for streamlining supply chains, introduce state-of-the-art e-business solutions, apply innovation mechanisms and further strengthen financing modalities e.g. through Public-Private Partnerships in line with the Sustainable Development Goals.

## Proposed recommendations

Area	Challenges	Recommendations
<b>Emergency Measures</b>		
<b>Transparency</b>	Published information on NTMs is fragmented and online resources are not up to date.	<p>The business community must be able to access, preferably in one place, comprehensive information about special arrangements for curbing the spread of COVID-19, including at border arrangements and associated procedures; existing NTMs and associated administrative procedures; consequential changes to, among others, legislation, regulations, fees, forms; and, their entry into force.</p> <ul style="list-style-type: none"><li>- The websites of the Customs Authorities should be brought fully up-to-date and provide comprehensive information in other languages (Russian and English), to enable SPECA countries and their partners to keep abreast of applied rules.</li><li>- Consider establishing a regional online platform for supporting the exchange of information on NTMs. The information can be shared with forwarders (e.g., via email notifications) and published online on the institutional websites of Customs Authorities.</li></ul>

<b>Area</b>	<b>Challenges</b>	<b>Recommendations</b>
<b>Trade documents</b>	Freight authorizations are difficult to obtain	Revise the current authorization issuance systems. SPECA Governments need to establish flexible systems, whereby authorizations are issued based on the forwarders' actual cargo traffic (volume and direction) following streamlined administrative procedures.
	Permits for importing and exporting medical products are difficult to obtain	Streamline the procedures for issuing permits for importing and exporting medical products and publish detailed information on application procedures.
	Afghan forwarders are experiencing difficulties in obtaining visas	Explore avenues for facilitating visa issuance for Afghan forwarders in consultation with the Afghan Government.
	Trade costs are inflated by product retesting	Accord priority to implementing the existing agreements on the mutual recognition of conformity assessment results.
	Trade costs are inflated by unnecessary documentary requirements	The forwarders' contracts with their respective employers does not contain information that is pertinent to the transport of cargo.
<b>COVID-19 testing</b>	Trade costs are inflated by cumbersome COVID-19 testing	Establish a common approach for coordinating health screening at BCPs and facilitating mutual recognition of COVID-19 test results.
<b>At the border control of perishable goods</b>	Border control is complicated by an overreliance on physical inspections	Create a green corridor for facilitating the movement of perishable goods during the pandemic.
<b>The freight forwarding industry</b>	Freight forwarders are struggling to maintain operations	Establish national credit schemes for supporting forwarders and publish detailed information on application procedures.
	Freight forwarders lack the experience in disaster risk management	Accord priority to equipping national and regional freight forwarders associations with the necessary expertise skills and resources to expanding their services to include:

Area	Challenges	Recommendations
		<ul style="list-style-type: none"> <li>- Guidelines and practical resources (e.g., case studies, and explanatory material) for helping road and rail freight forwarders adapt to the COVID-19 pandemic.</li> <li>- Advice to help the forwarders navigate the complex legal minefield that have come to encircle the forwarding industry.</li> </ul>
<b>Structural Measures</b>		
<b>Trade documents</b>	Trade documents are issued in hard copies	SPECA countries that continue to rely on paper-based procedures need to accord priority to migrating to paperless trading systems guided by the UN Centre for Trade Facilitation and Electronic Business (UN/CEFACT) recommendations.
<b>Cross Border trade</b>	Border Crossing Points lack adequate facilities for ensuring the smooth flow of cargo traffic	<p>Development efforts, much of it mandated under national plans and regional initiatives, should accord priority to, among others:</p> <ul style="list-style-type: none"> <li>- Reducing congestion and queues, by providing adequate space and facilities for vehicle and goods inspection.</li> <li>- Improving traffic management through the proper segregation, into separate lanes, of trucks, buses and cars.</li> <li>- Improving work organisation, through common offices or the co-location of control agency offices, with a logical workflow from one to another</li> <li>- Introducing non-intrusive inspection equipment, as one means of reducing the requirement for physical examination of goods.</li> <li>- Establishing refrigeration points for perishable cargo are included in the plans.</li> <li>- Proper office accommodation should also be provided for border control agencies.</li> <li>- Overnight parking areas for commercial vehicles on roads leading to BCPs.</li> </ul>
<b>Transit trade</b>	Lack of common framework for governing transit trade	Establish a regional transit transport agreement, which covers the different aspects of transit trade. This includes, among others, customs guarantee for trucks; market access (quotas, permits); driver visa, licenses, working

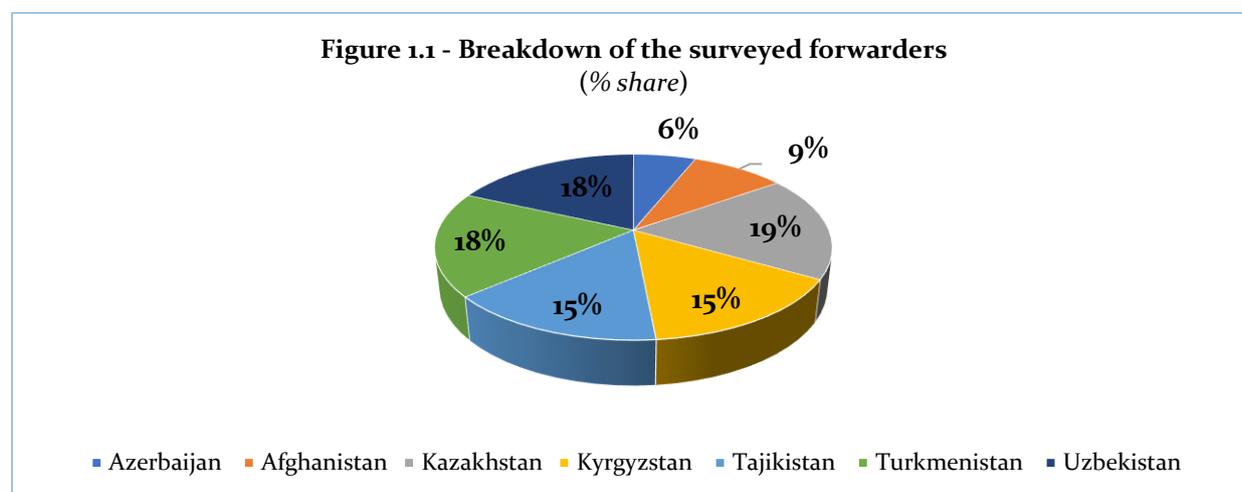
Area	Challenges	Recommendations
		hours; documentation for cargo and transport; conditions of carriage (temperature, sanitary); technical requirements for vehicles; and, weight and axle load. The agreements should also provide a system of appeals in Customs matters based on the Revised Kyoto Convention and a dispute settlement mechanism.
<b>Transport development</b>	Lack of adequate road and rail networks	<ul style="list-style-type: none"> <li>• Accord priority to implementing transport development plans established under existing regional initiatives, including Central Asia Regional Economic Cooperation (CAREC) and the Transport Corridor Europe Caucasus Asia (TRACECA) initiatives.</li> <li>• Accord priority to implementing UNECE transport conventions and protocols, as these provide internationally recognised principles, best practices and requirements for ensuring road safety, facilitating cross border trade and transit traffic.</li> </ul>
<b>Quality infrastructure</b>	Lack of adequate conformity assessment bodies (testing laboratories and product certification bodies) and weak market surveillance systems	Accord priority to addressing capacity shortfalls in the areas of conformity assessment and market surveillance at the national level by bringing these systems up to international standards and regulatory requirements (Annex 2). This is important for implementing the existing arrangements pertaining to the mutual recognition of conformity assessment results.
<b>Implementation and governance</b>	More coordination among SPECA countries is needed for the proper management of NTMs	<p>SPECA's governing structure offers a practical mechanism for regional coordination:</p> <ul style="list-style-type: none"> <li>- The SPECA Working Group on Trade, which could integrate the assessment as part of the official working documents.</li> <li>- The SPECA Governing Council could adopt decisions on follow-up work, including an action plan for the implementation of the recommendations.</li> </ul>

## 1. Introduction

This assessment traces how non-tariff measures (NTMs) deployed by countries participating in the United Nations Special Programme for the Economies of Central Asia (SPECA), including Afghanistan, Azerbaijan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan,<sup>5</sup> and their partner countries to contain the COVID-19 pandemic, influenced the region's trade patterns. The report is based on extensive phone interviews, which were conducted over the course of June-August 2020 with 32 freight forwarders and a regional trade expert using UNECE questionnaire. The questionnaire was developed drawing on the UNECE evaluation methodology for assessing the impact of regulatory and procedural trade measures with the aim of capturing:

- The transmission channels of the pandemic effects and the influence of NTMs therein.
- Supply chain disruptions.
- The ripple effects of supply chain disruptions on the region's trade patterns and forwarding industry.

The interviews involved the participation of 32 freight forwarding companies,<sup>6</sup> which were selected from published lists<sup>7</sup> in consultation with the Transport and Logistic Partnership in Central Asia (see Figure 1).<sup>8</sup> The views and inputs of both the top management and operational departments were solicited to ensure due diligence. The report also integrates the results of a phone interview with a regional trade expert from Afghanistan.



Source: UNECE Survey of freight forwarders in SPECA countries

This report is structured around 6 sections. The introduction in section 1 is followed by an overview of the discusses the transmittal channels of the pandemic's effects. Section 3

<sup>5</sup> SPECA is jointly supported by the United Nations Economic Commission for Europe (UNECE) and the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP).

<sup>6</sup> Several forwarders contracted the COVID-19 virus and were unable to complete the interviews.

<sup>7</sup> CARGO-CARDS, which is a global freight portal: <https://cargo-cards.com/en>

<sup>8</sup> The Transport and Logistic Partnership in Central Asia is a permanent regional professional dialogue platform (forum) that brings together transport and forwarders from Central Asia.

summarizes the non-tariff barriers reported by the interview forwarders. Section 4 highlights the impact of the identified barriers on trade patterns. Section 5 discusses the income fallout of the freight forwarding industry. Section 6 lists the main recommendations advanced by the forwarders.

## 2. Transmission channels

Just like other countries, the period since the outbreak of COVID-19 has seen SPECA countries deploy restrictive NTMs to contain the spread of the pandemic.<sup>9</sup> As shown in table 2.1, many SPECA countries introduced temporary export bans on certain food items and medical supplies to hedge against supply shortages, along with temporary import bans on animal-based food products, especially from the People’s Republic of China (PRC), to contain the spread of the virus. These restrictive measures were supplemented with temporary customs duties and value added tax (VAT) exemptions on imports of certain products to ease the financial burden of supply chain actors and address supply shortages.

**Table 2.1 – NTMs deployed by SPECA Countries**

Country	Export restrictions	Import restrictions	Temporary tax exemptions/reductions on imports
Tajikistan	<ul style="list-style-type: none"> <li>• Grain, cereals, beans, flour, wheat, rice, eggs, potato and meat exports to conserve domestic supplies (25.4.2020 - ongoing)</li> </ul>	<ul style="list-style-type: none"> <li>• Ban on imports of Chinese foods with the exception of tea and crop seeds (31.1.2020 - ongoing)</li> </ul>	
Uzbekistan	<ul style="list-style-type: none"> <li>• Masks and medical suits (16.3.2020 - ongoing)</li> </ul>	<ul style="list-style-type: none"> <li>• Restriction on imports of cement products (23.4.2020 – 23.5.2020)</li> </ul>	<ul style="list-style-type: none"> <li>• Exemption of hygiene products and mechanical ventilation apparatus, as well as building materials necessary for the construction of medical and quarantine institutions to combat coronavirus infection, from customs duties, including Value Added Tax (3.4.2020 – 31.12.2020)</li> <li>• Reduction of import duties on some consumer products such as flour, poultry, dairy, sugar,</li> </ul>

<sup>9</sup> An overview of restrictive NTMs deployed by WTO members is available at the International Trade Center (ITC) Market Access Map (<https://www.macmap.org/covid19>).

Country	Export restrictions	Import restrictions	Temporary tax exemptions/reductions on imports
			vegetable oils, hygiene products (7.22.2020 – 10.1.2020)
Kazakhstan	<ul style="list-style-type: none"> <li>• Onions, garlic, turnips, rye, rice (except if originating from Kazakhstan), buckwheat, millet, cereals, wholemeal flour and cereal grain granules, hulled buckwheat, prepared buckwheat foods, crushed and uncrushed soybeans, and sunflower seeds (31.3.2020 – 1.6.2020)</li> <li>• Masks (20.2.2020 - ongoing)</li> <li>• Timber (15.5.2020 – 15.11.2020)</li> </ul>	<ul style="list-style-type: none"> <li>• Import ban on Chinese fruits (2.3.2020 – 22.4.2020)</li> <li>• Import ban on the import of certain types of cement from countries outside the Eurasian Economic Union (28.4.2020 – 27.10.2020)</li> <li>• Import ban on certain petroleum products from the Russian Federation delivered by railway (1.5.2020 – 1.8.2020)</li> </ul>	
Kyrgyzstan	<ul style="list-style-type: none"> <li>• Medicines and medical equipment (3.2.2020 – 2.8.2020)</li> <li>• Food products and essential goods. According to the Cabinet of Ministers, the list includes wheat, flour, vegetable oil, sugar, chicken eggs, rice, pasta, disinfectants and bactericides, napkins, as well as mixed fodder and bran. (23.3.2020 – 22.9.2020)</li> </ul>	<ul style="list-style-type: none"> <li>• Import ban on fresh meat and meat-based products (24.1.2020 - ongoing)</li> </ul>	

Country	Export restrictions	Import restrictions	Temporary tax exemptions/reductions on imports
Azerbaijan	<ul style="list-style-type: none"> <li>• Medical supplies products and preparations (e.g. sterile gloves, splints, medical masks and goggles, disinfectants, special clothing and other necessary medical supplies and preparations) (14.2.2020 – 1.9.2020)</li> </ul>		<ul style="list-style-type: none"> <li>• Temporary elimination of import tariffs on chemical yarns for the production of face masks (25.3.2020 – 31.12.2020)</li> <li>• Exemption of imports of certain products (shoe covers, medical gloves and masks, respirators) exempted from VAT (27.3.2020 – 1.7.2020)</li> </ul>
Turkmenistan		<ul style="list-style-type: none"> <li>• Import restrictions on all goods (24.3.2020 - ongoing)</li> </ul>	

Source: International Trade Center (ITC) Market Access Map (<https://www.macmap.org/covid19>). Afghanistan has not published information on temporary trade restrictions.

NTMs constituted only one transmission channel through which the pandemic effects worked themselves into the SPECA countries trade patterns. These operated alongside special movement arrangements at border crossing points (BCPs), which were established throughout the region in compliance with the World Health Organization (WHO) guidelines on social distancing.<sup>10</sup> Most SPECA countries also sealed off many of their BCPs over extended periods (Annex 1).

### 3. Regulatory and procedural trade barriers

As shown in this section, international trade was undermined by the lack of transparency in trade. Moreover, while SPECA countries did not introduce additional documentary requirements, several were difficult to obtain, and cross border formalities were complicated by the special health safety measures. The closure of BCPs was another complicating factor whose impact was compounded by restrictions on the movement of foreign drivers.

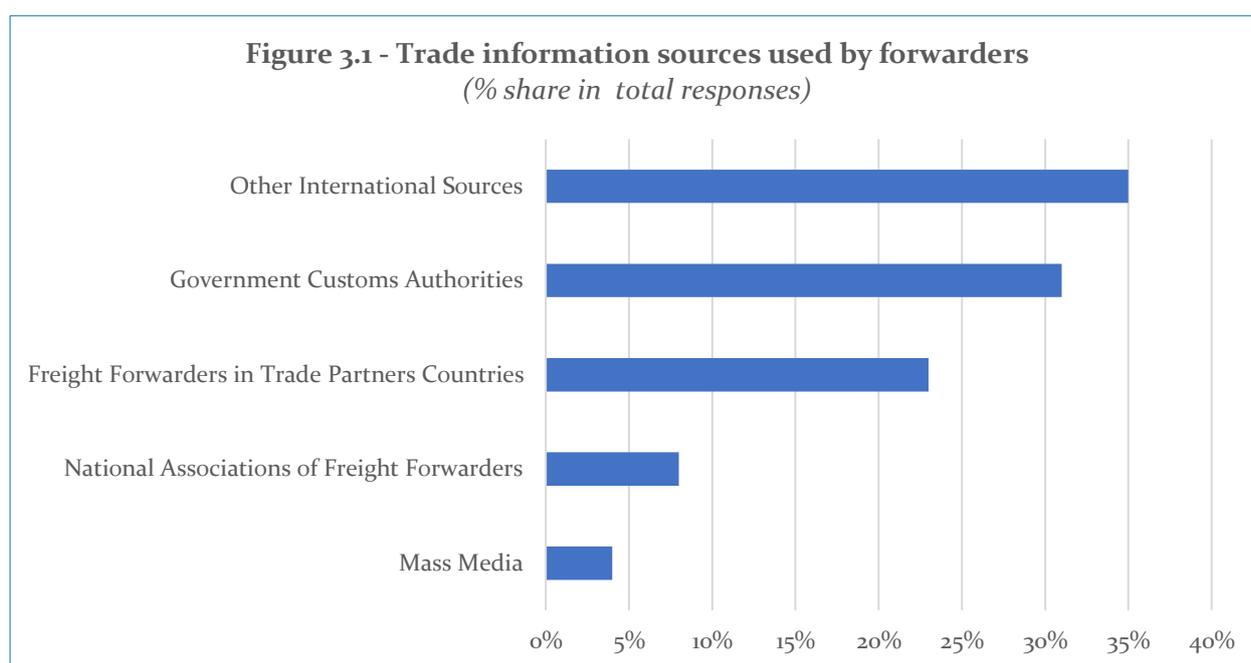
#### 3.1 Transparency

Around 79 percent of the surveyed forwarders noted that they had enough information on trade-related regulations and procedures introduced by their respective governments to

<sup>10</sup> See UNECE Observatory on border crossing status due to COVID-19 (<https://wiki.unece.org/display/CTRBSBC/Observatory+on+Border+Crossings+Status+due+to+COVID-19+Home>).

contain the spread of the pandemic. However, as shown in Figure 3.1, this came with high exploratory costs, as forwarders had to piece together information from different sources.

Moreover, Afghan, Kyrgyz, Tajik and Turkmen forwarders reported lacking access to up-to-date information on COVID-19 trade and transit procedures in neighboring countries; something which is mainly caused by the lack of proper coordination between SPECA authorities. This capacity shortfall was compounded by the sense of urgency that the pandemic created. Most governments made emergency decisions involving export and import bans that were not properly coordinated with neighboring countries. The untimely publication of these measures was another complicating factor, causing confusion among forwarders and increasing the level of business uncertainty. Forwarders had no means for verification, and several noted that the SPECA countries' consular services lacked the resources and capacity to advise supply chain actors on applicable rules.



Source: UNECE Survey of freight forwarders in SPECA countries

Carriers suffered especially when they found themselves unable to access destination and/or transit countries within the region, with the majority learning about border closures upon reaching the crossing points. The upshot has been significant delays and, for consignments containing perishable goods, significant losses in the form of damaged goods owing to shortages in refrigerated trucks. Forwarders were of the view that the pandemic reaffirmed the necessity of improving transparency in trade.

### 3.2. Difficult to obtain documents

Forwarders reported that the following three documents are difficult to obtain:

- Permits for importing and exporting medical products. The existing permits system, which is managed by the Anti-Coronavirus Operational Headquarters, is paper based. In addition, the procedures for obtaining the permits were not clear, and the waiting time for obtaining the permits differed from one country to another

- Freight authorizations, including bilateral and transit authorizations, for shipments to/through SPECA countries. Obtaining these authorizations is complicated by the quota-based system for regulating road freight between SPECA countries. As explained by forwarders, the national authorities distribute the authorizations obtained through this system equally among forwarders irrespective of their capacity (e.g., existing/new clients; previous and potential trade patterns; and total tonnage shipped). The number of permits issued for a given company is thus limited and obtaining additional permits is time consuming, since the permits are issued in hard copies. The national authorities must request additional permits from their counterparts and the permits are sent, after a long waiting period, by mail in hard copies. The constraining impact of this quota-based system became more pronounced during the pandemic, as forwarders were unable to adapt to changes in demand. The existing system has also aggravated the illicit trading of authorizations. Forwarders were of the view that SPECA countries should consider replacing the quota system with special transit corridors.
- Transit visas: Afghan forwarders complained that obtaining transit visas became more difficult since the outbreak of the pandemic.

### 3.3. Severe transport disruptions

The period since the outbreak of the pandemic has seen severe disruptions in road freight traffic along trade corridors connecting SPECA countries with the People's Republic of China (PRC), Iran, Pakistan and the Russian Federation. The disruptions were caused by the closure of BCPs in Afghanistan, Azerbaijan, Kazakhstan Kyrgyzstan, Tajikistan, and Uzbekistan (Annex 1), which forced forwarders to make detours.

The restrictions on the inflow of foreign drivers into SPECA countries was yet another factor.<sup>11</sup> Forwarders noted that these restrictions were implemented in Afghanistan, Kazakhstan, and Uzbekistan for both inbound and outbound cargo as well as in Kyrgyzstan, Tajikistan, and Turkmenistan for inbound traffic only. The restrictions created an additional procedure, which involved unloading goods onto national trucks at BCPs. This upshot has been excessively long queues. For example, only 5 vehicles were able to cross the Irkeshtam-Irkeshtam crossing point between the PRC and Kyrgyzstan per day, owing to shortages of Kyrgyz freight trucks that can haul full size trailers. The lack of proper infrastructure at BCPs was another contributing factor that causes not only delays but also safety hazards. In this respect, Tajik carriers transporting goods to Afghanistan reported unloading/reloading the cargo in the middle of bridges.

The restrictions on the circulation of foreign drivers also involved additional control procedures that were enforced through in-country checkpoints. Forwarders noted that delays were often compounded by unnecessary documentary checks. For example, border guards at the Yallama BCP between Uzbekistan and Kazakhstan requested drivers to

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<sup>11</sup> Letter from the Permanent Mission of Turkmenistan to the United Nations Office in Geneva: <https://www.iru.org/apps/cms-filesystem-action?file=/flashinfo/Turkmenistan%20Cargo%20Procedures%20IRU.pdf>

present the contracts with their respective employers. This requirement, which forwarders deem as prompted by security concerns, have resulted in transport disruptions. Some reported arranging for obtaining an authenticated copy from their employers, so that they suffered significant delays. Others resorted to informal payments.

The restrictions on the circulation of foreign drivers reduced the participation of Turkmen carriers in international transport. According to statistics by THADA Association, the number of TIR Carnets issued to Turkmen carriers fell from 400 to 1-2 per month. These restrictions have also been harmful to Tajikistan. Forwarders noted a drop in the country's exports of agricultural and food products, given the acute shortages of refrigerator trucks in Tajikistan.

Transport by rail was also challenging, owing to the time-consuming procedures associated with the disinfection of wagons. The high rail transit fees throughout the Eurasian Economic Union (EAEU) territory was another complicating factor, which seemed to trigger non-EAEU countries to raise rail fees.

### 3.4. Cumbersome border control procedures

The forwarders used 15 BCPs (in bold letters). These are presented in Table 3.1, which also highlights export and import times. The delays were caused by a heavy reliance on physical inspection, continuing a trend from the pre-pandemic period, along with the time-consuming fumigation, vehicle disinfection and COVID-19 testing procedures. These delays were partly due to the reduced working hours at some BCPs. In this respect, forwarders noted that the Nijniy Panj \ Sherkhan-Bandar BCP between Tajikistan and Afghanistan was open during limited hours, which further restricted the movement of goods throughout the region.

**Table 3.1 – Export and import clearance times at main BCPs**

Border Crossing Point	Location	Export Time	Import Time
All BCPs	Kyrgyzstan (KYR) – Kazakhstan (KAZ)	2-3 days	Not Available (N/A) <sup>12</sup>
<b>Aisha-Bibi \ Chongkapka</b>	KYR – KAZ	40 minutes	N/A
Atameken \ Syr Darya	KAZ – Uzbekistan (UZB)	1 hour 40 minutes	N/A
<b>Guliston \ Khujad</b>	UZB – Tajikistan (TJK)	30 minutes	N/A
Bolashak \ Serkhetyaka	KAZ – Turkmenistan (TRK)	1-2 hours	1-2 hours
Bugristoye \ Troitsk	Russian Federation (RUS) - KAZ	2 days	N/A
Daut Ata \ Tajen	UZB – KAZ	2 hours	1 hour

<sup>12</sup> Information was not provided by forwarders

Border Crossing Point	Location	Export Time	Import Time
<b>Dogharoun \ Islam Qala</b>	Afghanistan (AFG) – Iran (IR)	5-7 hours	5-7 hours
Dushanbe	TJK – UZB	1 day	day
<b>Dusti \ Saryasiya</b>	TJK – UZB	10-12 hours	10-12 hours
<b>Farap \ Alat</b>	TRK – UZB	1-2 days	1-2 days
<b>Fotehobod \ Oibek</b>	TJK – UZB	8 hours	8 hours
<b>Hairaton \ Galaba</b>	AFG – UZB	1 day	1 day
<b>Irkeshtam \ Irkeshtam</b>	KYR – China (CH)	2-3 days	3-4 days
<b>Karasuk \ Karasuk</b>	KAZ – RUS	2 days	2 days
Kyzil Bel \ Kingyradyr	KYR – TAJ	2 hours	N/A
<b>Nijniy Panj \ Sherkhan-Bandar</b>	TJK – AFG	5-7 hours	5-7 hours
Port Aktau \ Kungrad	KAZ – UZB	1 day	1 day
Samur \ Yarag-Kazmalar	Azerbaijan (AZJ) – RUS	15-20 minutes	30 minutes
<b>Surum \ Mashtakova</b>	KAZ – RUS	12 hours	12 hours
<b>Khuber \ Torkham</b>	AFG – Pakistan	7 hours	7 hours
Uralsk \ Saratov	KAZ – RUS	12 hours	6 hours
<b>Yallama</b>	UZK – KAZ	48 hours	3-4 days
<b>Yarag-Kazmalyar \ Samur</b>	RUS – AZJ	15-20 minutes	30 minutes - 1 hour

Source: UNECE Survey of freight forwarders in SPECA countries

### Lengthy fumigation procedures

Afghanistan, Kyrgyzstan, Tajikistan, and Uzbekistan as well as major non-SPECA trading partners such as the PRC and the Russian Federation were using fumigation as part of their arsenal to curb the spread of COVID-19. All aspects of the fumigation processes in these countries, including the preparation of both the truck and the cargo, are lengthy, which results in long queues. Moreover, drivers were not permitted to leave their vehicles while waiting in the extended queues, owing to the lack of rest facilities at BCPs.

### Cumbersome vehicle disinfection procedures

Just like other countries, SPECA countries have introduced procedures for ensuring proper disinfection of trucks entering/transiting through their territories. However, these procedures were causing significant delays at BCPs with Afghanistan, Azerbaijan, Kazakhstan and the Kyrgyz Republic.

### Lengthy COVID-19 testing procedures

COVID-19 testing procedures at the BCPs with Kazakhstan, Tajikistan, Turkmenistan, and Uzbekistan were described as cumbersome. Obtaining the results involved a long waiting period that could last up to 5 days. Forwarders also noted the lack of clarity over the procedures for administering COVID-19 tests, which vary from one country to another.

There was also a lack of clarity over mutual recognition of COVID-19 test results. For example, drivers crossing through the Dusti-Saryasiya BCP between Tajikistan and Uzbekistan were not tested at the Tajik side of the border, whereas drivers crossing the Surum-Mashtakova BCP between Kazakhstan and the Russian Federation were tested at the Kazakh side of the border. However, the interviewed forwarders were unsure if the testing on one side of the border was part of a mutual recognition of COVID-19 test results between the respective countries (Tajikistan and Uzbekistan; and Kazakhstan and the Russian Federation).

### Overreliance on physical inspection

Physical inspection was cited as a major impediment to the smooth flow of cross border trade in Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan (Table 4.1). Consignments containing agricultural products were the most affected, owing to the lack of mutual recognition of phytosanitary certificates between SPECA countries, including EAEU members. For example, Kazakh authorities do not recognize phytosanitary certificates issued by Kyrgyz bodies so that products are subjected to physical inspection and retesting.

**Table 4. 1 – Incidents of overreliance on physical inspection at SPECA BCPS**

Country	Product
Kazakhstan	Food and agricultural products
Kyrgyzstan	All goods
Tajikistan	All goods
Turkmenistan	Food and agricultural products
Uzbekistan	Exotic fruits

Source: UNECE Survey of freight forwarders in SPECA countries

## 4. Changes in trade patterns

The above conditions triggered a shift in SPECA countries' trade patterns. As shown in table 4.2, exports from SPECA countries to Georgia, the Russian Federation, Turkey and the PRC increased while exports to the Islamic Republic of Iran and the European Union decreased. Trade within the SPECA region also varied with exports to Tajikistan increasing and exports to Kazakhstan and Turkmenistan decreasing. Uzbekistan faced fluctuations of exports from other SPECA countries with increases from Afghanistan, Kazakhstan and Tajikistan and with decreases from Azerbaijan and Turkmenistan.

**Table 4.2 – Changes in SPECA countries export patterns**

Country	Destinations witnessing increased exports from SPECA countries	Destinations witnessing decreased exports from SPECA countries
Afghanistan	Tajikistan and Uzbekistan	Islamic Republic of Iran (Iran) and Turkmenistan
Azerbaijan	Russian Federation and Turkey	Iran and Uzbekistan
Kazakhstan	Afghanistan, Belarus, Russian Federation and Uzbekistan	PRC and United States of America (USA)
Kyrgyzstan	Russian Federation	European Union (EU), Iran, Kazakhstan, PRC, and Turkmenistan
Tajikistan	Russian Federation and Uzbekistan	EU, Iran, Kazakhstan, PRC, Turkey, Turkmenistan, UAE and USA
Turkmenistan	Georgia, People's Republic of China (PRC), Russian Federation and Turkey	EU, Iran, Kazakhstan and Uzbekistan
Uzbekistan	Kazakhstan, PRC, Russian Federation and Tajikistan	EU, Iran, Kazakhstan, and Turkmenistan

Source: UNECE Survey of freight forwarders in SPECA countries

On the import side, and as shown in Table 4.3, imports from the Russian Federation increased while imports from the Islamic Republic of Iran, the United Arab Emirates (UAE) and People's Republic of China decreased. Depending on the SPECA country, imports from the European Union and Turkey either increased or decreased. The same applies to imports from Afghanistan, Kazakhstan and Tajikistan. Otherwise, the table also shows that all SPECA countries have reduced their imports from Turkmenistan.

**Table 4.3 – Changes in SPECA countries import patterns**

Country	Import sources registering increased importance	Import sources registering decreased importance
Afghanistan	Tajikistan	Turkmenistan
Azerbaijan	Russian Federation and Turkey	Iran, UAE, Turkmenistan
Kazakhstan	Afghanistan and Russian Federation	EU, Iran, and PRC
Kyrgyzstan	Kazakhstan and Russian Federation	Iran, PRC and Turkey
Tajikistan	Czech Republic, EU, Kazakhstan and Russian Federation	Iran, PRC, Turkey and UAE
Turkmenistan	Russian Federation and Turkey	EU, Iran, Turkey and UAE

Country	Import sources registering increased importance	Import sources registering decreased importance
Uzbekistan	Kazakhstan and Russian Federation	Afghanistan, Iran, Turkey, Turkmenistan, EU and PRC

Source: UNECE Survey of freight forwarders in SPECA countries

## 5. Freight forwarding industry under stress

Only 21 percent of the forwarders reported implementing work from home policies, and noted that this was only possible for management, accounting, and human resources departments. However, several did so without establishing clear guidelines for ensuring the smooth flow of work and the safety of their drivers.

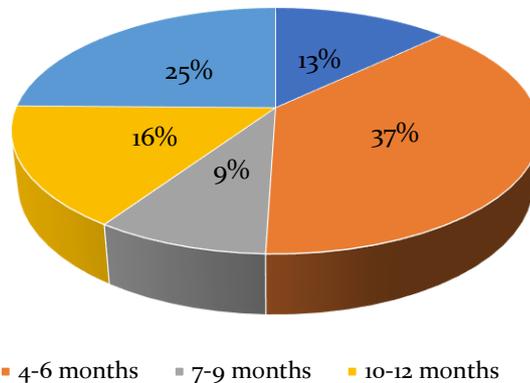
A major impediment to a broader application of work from home arrangements was the poor quality of internet connectivity. This issue was highlighted by Tajik and Turkmen respondents. The lack of ICT equipment, including but not limited to computers and phones, were other binding factors. Yet, only 19 percent invested less than 2,000 USD and another 5 percent invested less than 5,000 USD to upgrade their IT systems.

These modest investments reflect forwarders a severe liquidity crunch. The majority have seen their income take a nosedive and were struggling to cover their running expenses. These expenses have been compounded by the additional costs associated with obtaining the necessary personal protective equipment for their staff and drivers. These are highly exposed to the virus, since physical cargo operations inherently involve human interaction.

Additionally, many drivers were refusing to ship cargo to certain destinations that would either place them at risk of contracting the virus or in a situation where they could be stuck in quarantine. As a result, there has been a diminished supply of drivers willing to transport goods across the borders, which has inflated transport costs. The additional in-country checkpoints for implementing the restrictions on the circulation of foreign drivers is another complicating factor. These checkpoints have created an environment for increased recourse to informal payments to checkpoint officials to circumvent delays.

The magnitude of the forwarders' income fallout is captured in figure 5.1. All the forwarders were in dire need of financial assistance, and the majority reported they would be able to stay operational for 4 to 6 months, albeit with reduced staff and increased risk. The risk of contracting the virus aside, forwarders are assuming financial risks since cargo owners refused to provide advance payments upon the signing of contracts, which was a major issue even before the outbreak of the pandemic. For Tajik forwarders, these risks are compounded by significant losses due to currency conversions.

**Figure 5.1 - Forwarders' prospects of maintaining operations without financial assistance**  
(% of total responses)



Source: UNECE Survey of freight forwarders in SPECA countries

Forwarders were also struggling with legal problems. Since the pandemic was not included in freight contracts (as part of the *force majeure* clauses), most of the forwarders found themselves in a position of virtually violating the delivery terms. Questions immediately arose regarding delivery schedules, the issue of non-compliance with the terms of contracts, and with cargo insurance. Forwarders had to address the intricacies of these many issues either through collaborating with other forwarders, government agencies, forwarders associations or on their own, which created even more complications. The forwarders reported being overwhelmed by the often-conflicting advice and lacking the means to retain lawyers to help them settle conflicts with clients.

## 6. Deep seated structural weaknesses

The regulatory and procedural barriers to trade identified in this report reflect capacity shortfalls within SPECA countries at both the planning and implementation levels, which need to be addressed as a pre-condition for bolstering COVID-19 response measures and building stronger and more resilient economies. As shown in Annex 2, these weaknesses undermine SPECA countries' supply chain operations and find their strongest expression in the:

- Lack of ICT infrastructure to provide readily accessible up-to-date information on applied trade-related rules and administrative procedures. Forwarders had to piece together such information from different sources and continued to do so during the pandemic. This created a high degree of business uncertainty that was exacerbated by the speed by which NTMs and health protection measures were implemented.
- For several SPECA countries, the lack of adequate ICT capacities also manifested itself in the continued reliance on paper-based administrative procedures. Under the current conditions, this heavy reliance on paper has been potentially exposing forwarders and the remaining supply chain actors to the virus and creating trade

barriers. Customs and transport documentation exchanges have been severely disrupted, causing delays and compounding the forwarders' liquidity crisis.

- Lack of adequate quality infrastructure, particularly conformity assessment and market surveillance bodies for ensuring compliance with regulatory requirements for consumer, animal, plant, and environmental protection.
- Gaps in coordination mechanisms, which created inconsistencies in applied procedures, making it difficult for carriers to plan. These weaknesses have also undermined the smooth flow of cross border trade, causing, among others, delays, damaged goods (for consignments containing perishable products) and additional requirements in the form of product retesting.
- Lack of adequate facilities at border crossing points
- Lack of proper mechanisms for governing transit trade
- Lack of adequate transport infrastructure.

## 7. Recommendations

This report traced how non-tariff measures (NTMs) were deployed by SPECA countries. The report showed that NTMs were not used to their full potential, owing to the limited use of trade facilitation measures. This not only aggravated the impact of the pandemic but also further undermined regional integration.

Table 7.1 proposes action-oriented recommendations for the SPECA countries' consideration as they forge ahead in fostering regional integration and building a stronger and more resilient economies in the aftermath of COVID-19.

**Table 7.1 Proposed recommendations**

Area	Challenges	Recommendations
<b>Emergency Measures</b>		
<b>Transparency</b>	Published information on NTMs is fragmented and online resources are not up to date.	The business community must be able to access, preferably in one place, comprehensive information about special arrangements for curbing the spread of COVID-19, including at border arrangements and associated procedures; existing NTMs and associated administrative procedures; consequential changes to, among others, legislation, regulations, fees, forms; and, their entry into force. <ul style="list-style-type: none"> <li>- The websites of the Customs Authorities should be brought fully up-to-date and provide comprehensive information in other languages (Russian and English),</li> </ul>

Area	Challenges	Recommendations
		<p>to enable SPECA countries and their partners to keep abreast of applied rules.</p> <ul style="list-style-type: none"> <li>- Consider establishing a regional online platform for supporting the exchange of information on NTMs. The information can be shared with forwarders (e.g., via email notifications) and published online on the institutional websites of Customs Authorities.</li> </ul>
<b>Trade documents</b>	Freight authorizations are difficult to obtain	Revise the current authorization issuance systems. SPECA Governments need to establish flexible systems, whereby authorizations are issued based on the forwarders' actual cargo traffic (volume and direction) following streamlined administrative procedures.
	Permits for importing and exporting medical products are difficult to obtain	Streamline the procedures for issuing permits for importing and exporting medical products and publish detailed information on application procedures.
	Afghan forwarders are experiencing difficulties in obtaining visas	Explore avenues for facilitating visa issuance for Afghan forwarders in consultation with the Afghan Government.
	Trade costs are inflated by product retesting	Accord priority to implementing the existing agreements on the mutual recognition of conformity assessment results.
	Trade costs are inflated by unnecessary documentary requirements	The forwarders' contracts with their respective employers does not contain information that is pertinent to the transport of cargo.
<b>COVID-19 testing</b>	Trade costs are inflated by cumbersome COVID-19 testing	Establish a common approach for coordinating health screening at BCPs and facilitating mutual recognition of COVID-19 test results.
<b>At the border control of perishable goods</b>	Border control is complicated by an overreliance on	Create a green corridor for facilitating the movement of perishable goods during the pandemic.

Area	Challenges	Recommendations
	physical inspections	
<b>The freight forwarding industry</b>	Freight forwarders are struggling to maintain operations	Establish national credit schemes for supporting forwarders and publish detailed information on application procedures.
	Freight forwarders lack the experience in disaster risk management	<p>Accord priority to equipping national and regional freight forwarders associations with the necessary expertise skills and resources to expanding their services to include:</p> <ul style="list-style-type: none"> <li>- Guidelines and practical resources (e.g., case studies, and explanatory material) for helping road and rail freight forwarders adapt to the COVID-19 pandemic.</li> <li>- Advice to help the forwarders navigate the complex legal minefield that have come to encircle the forwarding industry.</li> </ul>
<b>Structural Measures</b>		
<b>Trade documents</b>	Trade documents are issued in hard copies	SPECA countries that continue to rely on paper-based procedures need to accord priority to migrating to paperless trading systems guided by the UN Centre for Trade Facilitation and Electronic Business (UN/CEFACT) recommendations.
<b>Cross Border trade</b>	Border Crossing Points lack adequate facilities for ensuring the smooth flow of cargo traffic	<p>Development efforts, much of it mandated under national plans and regional initiatives, should accord priority to, among others:</p> <ul style="list-style-type: none"> <li>- Reducing congestion and queues, by providing adequate space and facilities for vehicle and goods inspection.</li> <li>- Improving traffic management through the proper segregation, into separate lanes, of trucks, buses and cars.</li> <li>- Improving work organisation, through common offices or the co-location of control agency offices, with a logical workflow from one to another</li> <li>- Introducing non-intrusive inspection equipment, as one means of reducing the requirement for physical examination of goods.</li> </ul>

Area	Challenges	Recommendations
		<ul style="list-style-type: none"> <li>- Establishing refrigeration points for perishable cargo are included in the plans.</li> <li>- Proper office accommodation should also be provided for border control agencies.</li> <li>- Overnight parking areas for commercial vehicles on roads leading to BCPs.</li> </ul>
<b>Transit trade</b>	Lack of common framework for governing transit trade	Establish a regional transit transport agreement, which covers the different aspects of transit trade. This includes, among others, customs guarantee for trucks; market access (quotas, permits); driver visa, licenses, working hours; documentation for cargo and transport; conditions of carriage (temperature, sanitary); technical requirements for vehicles; and, weight and axle load. The agreements should also provide a system of appeals in Customs matters based on the Revised Kyoto Convention and a dispute settlement mechanism.
<b>Transport development</b>	Lack of adequate road and rail networks	<ul style="list-style-type: none"> <li>- Accord priority to implementing transport development plans established under existing regional initiatives, including Central Asia Regional Economic Cooperation (CAREC) and the Transport Corridor Europe Caucasus Asia (TRACECA) initiatives.</li> <li>- Accord priority to implementing UNECE transport conventions and protocols, as these provide internationally recognized principles, best practices and requirements for ensuring road safety, facilitating cross border trade and transit traffic.</li> </ul>
<b>Quality infrastructure</b>	Lack of adequate conformity assessment bodies (testing laboratories and product certification bodies) and weak market surveillance systems	Accord priority to addressing capacity shortfalls in the areas of conformity assessment and market surveillance at the national level by bringing these systems up to international standards and regulatory requirements (Annex 2). This is important for implementing the existing arrangements pertaining to the mutual recognition of conformity assessment results.

Area	Challenges	Recommendations
<b>Implementation and governance</b>	More coordination among SPECA countries is needed for the proper management of NTMs	<p>SPECA’s governing structure offers a practical mechanism for regional coordination:</p> <ul style="list-style-type: none"> <li>- The SPECA Working Group on Trade, which could integrate the assessment as part of the official working documents.</li> <li>- The SPECA Governing Council could adopt decisions on follow-up work, including an action plan for the implementation of the recommendations.</li> </ul>

## ANNEXES

### Annex 1 - Border closures and limitations on the circulation of foreign drivers in SPECA countries

Country	Border closures and special at the border arrangements	Date
Afghanistan	<ul style="list-style-type: none"> <li>• Pathan (Paktia) BCP with Pakistan</li> <li>• Urgon (Paktika) BCP with Pakistan</li> <li>• Ghulam Khan (Khost) BCP with Pakistan</li>   <li>• Takhar BCP with Tajikistan</li>   <li>• All BCPs with Afghanistan</li> </ul>	<ul style="list-style-type: none"> <li>• 28.4.2020</li> <li>• 28.4.2020</li> <li>• 28.4.2020 – 6.8.2020</li> <li>• 28.4.2020 – 6.8.2020</li> <li>• 28.4.2020</li> </ul>
Azerbaijan	<ul style="list-style-type: none"> <li>• All BCPs with Iran are closed to all passenger traffic</li> <li>&gt; Opened to freight</li> <li>• All BCPs with Georgia are closed to all passenger traffic</li> <li>&gt; Opened to freight</li> <li>• All BCPs with Turkey are closed to all passenger traffic</li> <li>&gt; Opened to freight</li> <li>• All BCPs with Russian Federation are closed to all passenger traffic</li> <li>&gt; Opened to freight</li> </ul>	<ul style="list-style-type: none"> <li>• 29.2.2020</li> <li>&gt; 9.4.2020</li> <li>• 14.3.2020</li> <li>&gt; 9.4.2020</li> <li>• 14.3.2020</li> <li>&gt; 9.4.2020</li> <li>• 18.3.2020</li> <li>&gt; 9.4.2020</li> </ul>
Kazakhstan	<ul style="list-style-type: none"> <li>• Kolzhat BCP (Almaty region) with People’s Republic of People’s Republic of China</li> <li>• Bakhty BCP (East Kazakhstan region) with People’s Republic of China</li> <li>• Maykapchagay BCP (East Kazakhstan region) with People’s Republic of China</li> <li>• Kandibai BCP (Kostanay region) with Russian Federation</li> <li>• Akbalshik BCP (Kostanay region) with Russian Federation</li> <li>• Kyzyl Zhar BCP (North Kazakhstan region) with Russian Federation</li> <li>• Naiza BCP (Pavlodar region) with Russian Federation</li> <li>• Zheskent BCP (East Kazakhstan region) with Russian Federation</li> <li>• Baitanat BCP (East Kazakhstan region) with Russian Federation</li> </ul>	<ul style="list-style-type: none"> <li>• 4.4.2020</li> <li>4.4.2020</li> </ul>

Country	Border closures and special at the border arrangements	Date
	Federation <ul style="list-style-type: none"> <li>• Koanbai BCP (East Kazakhstan region) with Russian Federation</li> <li>• Orda BCP (West Kazakhstan region) with Russian Federation</li> <li>• Shagan BCP (West Kazakhstan region) with Russian Federation</li> <li>• Karashatau BCP (Atyrau region) with Russian Federation</li> <li>• Aukhatty BCP (Zhambyl region) with Kyrgyzstan</li> <li>• Kordai BCP (Zhambyl region) with Kyrgyzstan</li> <li>• Sapatai Batir BCP (Zhambyl region) with Kyrgyzstan</li> <li>• Sartobe BCP (Zhambyl region) with Kyrgyzstan</li> <li>• Kagen BCP (Almaty Region) with Kyrgyzstan</li> <li>• Tselinniy BCP (Turkestan region) with Uzbekistan</li> <li>• Sirdaria BCP (Turkestan region) with Uzbekistan</li> </ul>	
Kyrgyzstan	<ul style="list-style-type: none"> <li>• Irkeshtam BCP with People's Republic of China</li> </ul> > Kyrgyz and Chinese authorities developed a mechanism to allow for the transportation of freight at the Irkeshtam BCP	<ul style="list-style-type: none"> <li>• 3.2.2020</li> </ul> >24.3.2020
Turkmenistan	<ul style="list-style-type: none"> <li>• The Turkmen government has taken measures to limit the inflow of foreign carriers into the country in order to curb the spread of the pandemic. For example, goods arriving in the country through the Garabogaz and Farap border crossing points should be unloaded onto national carriers. The government has also advised forwarders to ship goods by rail as much as possible.</li> </ul>	<ul style="list-style-type: none"> <li>• 24.3.2020</li> </ul>
Tajikistan	<ul style="list-style-type: none"> <li>• Kulma-Karasu BCP with People's Republic of China</li> <li>• Nizhny-Pyanj BCP with Afghanistan</li> </ul>	<ul style="list-style-type: none"> <li>• 20.1.2020 – 30.4.2020</li> <li>• 16.3.2020</li> </ul>
Uzbekistan	<ul style="list-style-type: none"> <li>• Xayraton BCP with Afghanistan</li> </ul>	<ul style="list-style-type: none"> <li>• 16.4.2020</li> </ul>

Source: UNECE Observatory on border crossing status due to COVID-19

## Annex 2 –The institutional and legislative framework governing trade in goods in SPECA countries: Key aspects based a review of published NTMs

This annex provides an overview of the key NTM legislation affecting supply chain operations. Drawing on UN/CEFACT Buy-Ship-Pay (BSP) reference model<sup>13</sup>, the NTMs are mapped against five categories with a view to capturing their contribution to a smooth and seamless flow of cross border trade transactions along a continuous process. This process starts with the finding out about the regulatory requirements, followed by preparing trade documents and then passing customs. As cross border trade is highly affected by regional cooperation arrangements, and consistent with the focus of this paper, the NTMs governing regional cooperation are also highlighted. The aim is to highlight the institutional capacity shortfalls undermining the proper design and implementation of the NTMs

The five categories and associated indicators are provided in the legend table below. The review is based on published laws that are embedded in the country tables as hyperlinks. Member countries are invited to provide the UNECE with applicable NTM legislation that are not captured in the country tables as well as capacity building needs to ensure successful implementation of NTM measures.

### Legend

<b>Intervention Area</b>	<b>Focus</b>	<b>Existing institutional set up governing trade in goods</b>
1. Transparency	Transparency is tackled from a broad perspective to consider not only the availability and ease of access to trade-related regulatory requirements and administrative procedures, but also the availability and ease of access to up-to -date information on the implications for enterprises in terms of compliance requirements (e.g., skill sets and management information systems).  UNECE studies on regulatory and procedural barriers to trade (RPBT) show that the lack of	1.1. Participation in regional and international conventions/agreements featuring specific provisions for enhancing transparency.
		1.2. National Legislative framework for supporting transparency in trade.
		1.3. Number of regional and global databases containing up-to-date information on trade-related regulatory and administrative requirements (as a way for keeping trade partners abreast of applicable requirements).
		1.4. Number of national websites publishing draft laws for prior consultation (ATF, Article 2).
		1.5. Number of national websites providing up-to-date information on trade-related regulatory requirements and associated

<sup>13</sup> <http://tfig.unece.org/contents/buy-ship-pay-model.htm>

Intervention Area	Focus	Existing institutional set up governing trade in goods
	<p>clarity among traders over legislative and procedural requirements renders compliance difficult, if not impossible, and increases transaction costs (exploratory costs, delays, and lost opportunities for failing to get things right).</p>	<p>administrative procedures in more than one language, along with their implications for traders (AFT, Articles 1.1-1.2,3,4,6).</p> <p>1.6. Prompt submission of notifications to the WTO, measured by the number of notifications submitted to the WTO over the last 3 years (Article 1.4).</p> <p>1.7. No. of help desks/hotlines for handling questions raised by national and international traders (AFT, article 1.3).</p> <p>1.8. National information dissemination systems for keeping traders abreast (through, e.g., email notifications) on NTM legislation, along with output indicators.</p> <p>1.9. Number of public-private sector consultative mechanisms following internationally recognized best practice (ATF, Article 10).</p> <p>1.10. Number of technical committees for supporting quality standard setting, which brings together representatives from public and private sector</p>
<p>2. Collection and processing of regulatory information requirements</p>	<p>Simplification, harmonization and standardization of information requirements and associated administrative procedures for moving goods across the borders and making/receiving payments. These terms are to be understood as defined in UN/CEFACT Recommendation 34: <u>Simplification:</u> Eliminating all unnecessary elements and</p>	<p>2.1. Participation in international conventions/agreements as well as bilateral and regional agreements featuring specific provisions for guiding the simplification, harmonization, and standardization of information requirements.</p> <p>2.2. Collection of regulatory information requirements is standardized and harmonized following recognized international standards and best practice recommendations for the dematerialization of underpinning administrative processes (ATF, Articles 10.1,2,4, 5, 10; Article 11.4).</p>

Intervention Area	Focus	Existing institutional set up governing trade in goods
	<p>duplications in trade formalities, processes and procedures.</p> <p><u>Harmonization:</u> Alignment of national procedures, operations and documents with international conventions, standards and practices</p> <p><u>Standardization:</u> Closely associated with harmonization, standardization involves developing formats for procedures, documents and information using internationally recognized standards. Standards are used to align and, eventually, harmonize practices and methods, to ensure efficient exchange of information.</p> <p>UNECE studies on RPBT show that trade is undermined by red tape and cumbersome documentary requirements, which increase transaction costs facing enterprises.</p>	<p>2.3. Standardizing data requirements using recognized international standards (ATF, Articles 10.1,2,4,5,10; Article 11.4).</p> <p>2.4. Integrated ICT platforms for supporting paperless trade (ATF, Article 10.5).</p>
3. National quality infrastructure	National legislation and institutions supporting technical regulations, standardization, accreditation, conformity assessment, market surveillance and metrology fit for simultaneous treatment of regulatory and trade facilitation concerns.	<p>3.1. Memberships (full and associate) in international and regional organizations specialized in supporting regulatory cooperation and harmonization in the fields of technical regulations, standardization, accreditation, conformity assessment and metrology.</p> <p>3.2. Participation in bilateral/regional agreements involving regulatory cooperation and harmonization in the fields of</p>

Intervention Area	Focus	Existing institutional set up governing trade in goods
	<p>UNECE studies on RPBT show that differences in conformity assessment requirements and associated procedures create additional costs for enterprises, in the form of product retesting.</p>	<p>technical regulations, standardization, accreditation, conformity assessment and metrology.</p> <p>3.3. Established systems for risk based technical regulations developed reflected in the country's participation in international conventions with specific provisions on risk-based legislation and technical regulations (UNECE recommendation on risk and Protocol on SEA).</p> <p>3.4. Level of harmonization measures as reflected in the number of harmonized technical regulations; share of international/regional harmonized standards in national registry of standards; level of recognition of conformity assessment results and certificates.</p> <p>3.5. Established market surveillance measured in terms of product recalls over the past year(s).</p>
<p>4. At the border control</p>	<p>Modernization of at the border control systems (including legislation, institutions and infrastructure facilities) to ensure simultaneous treatment of trade facilitation concerns, revenue collection and adherence to regulatory requirements.</p> <p>UNECE studies on RPBT show that inadequate at the border control systems create long waiting queues, which translate into delayed deliveries and damaged goods (for</p>	<p>4.1. Established systems for risk-based border control following international best practice recommendations (ATF, Article 7.4).</p> <p>4.2. Established systems and for supporting pre-arrival processing of imports (ATF, Article 7.1).</p> <p>4.3. Established systems and arrangements for supporting post clearance audit to allow for considered examination of the commercial processes and systems underpinning the duty declared at importation (ATF, Article 7.5).</p> <p>4.4. Customs to Business partnerships in the form of AEO schemes which follow international best practices (ATF, Article 7.7).</p>

Intervention Area	Focus	Existing institutional set up governing trade in goods
	consignments containing perishable goods).	<p>4.5. Established systems and arrangements for expediting the release of goods delivered by air transport (ATF, Article 7.8).</p> <p>4.6. Established systems and arrangements for enabling the release imports prior to final determination and payment of customs duties, taxes, fees and charges (ATF, Article 7.3).</p> <p>4.7. Number and percentage share of well-equipped BCPs, measured in terms of (i) joint facilities for physical inspection of cargo; (ii) refrigeration points for perishable cargo; (iii) quarantine facilities at or close to BCPs; (iv) single cashiers for facilitating payments of taxes and customs clearance fees and charges; (v) parking stations for cargo trucks: modern vehicle weighing equipment; (vi) scheduling system (insert date) to ensure the continuity of customs services; (vii) traffic management systems for proper segregation, into lanes, of trucks, buses and cars with a fast track lane for trucks carrying transit cargo, perishable goods and AEO goods; (viii) non-intrusive inspection equipment (ATF, Article 7.9 and Articles 8 and 9).</p>
5. Collaborative cross border control	Cooperation arrangements with neighboring countries to support transit trade and ensure simultaneous treatment of trade facilitation concerns, revenue collection and adherence to regulatory requirements.	<p>5.1. Bilateral and regional cooperation arrangements involving harmonization of cross border trade and facilitating transit trade.</p> <p>5.2. Management Information Systems to support information sharing with relevant authorities in partner countries based on recognized international standards and recommendations (ATF, Articles 5 and 12).</p>

Intervention Area	Focus	Existing institutional set up governing trade in goods
	<p>UNECE studies on RPBT show that inadequate at the border control systems create long waiting queues, which translate into delayed deliveries and damaged goods (for consignments containing perishable goods).</p>	<p>5.3. Number of joint border control facilities with neighboring countries.</p>

## Afghanistan

Institutional and legislative set up governing trade in goods	Comments
<p><b>1.1.</b> Signatory to the below international agreements, which carry immediate contribution to improving transparency in trade.</p> <ul style="list-style-type: none"> <li>• World Trade Organization (WTO) Agreement on Trade Facilitation (ATF) as of 29 July 2016.</li> </ul>	
<p><b>1.2.</b> Information not available.</p>	
<p><b>1.3.</b> Up to date information on trade-related laws are published on:</p> <ul style="list-style-type: none"> <li>• Commonwealth of Independent States (CIS) <a href="#">legal database</a>.</li> <li>• Non-tariff measures at Harmonized System (HS) 6-digit product classification are available at the UNCTAD TRAINS <a href="#">database</a>.</li> </ul>	<ul style="list-style-type: none"> <li>• Full access to the CIS database is fee-based.</li> </ul>
<p><b>1.4.</b> Draft Laws are not published. Note: The business community's views are solicited through round table discussions that bring together public and private sector representatives.</p>	
<p><b>1.5.</b> Information on applicable trade rules and procedures is available on:</p> <ul style="list-style-type: none"> <li>• The Ministry of Finance <a href="#">website</a>;</li> <li>• Afghanistan National Assembly <a href="#">website</a>.</li> </ul>	<ul style="list-style-type: none"> <li>• The information published on the Ministry of Finance website is not up to date.</li> <li>• Most laws are published in national language only.</li> </ul>
<p><b>1.6.</b> There are 10 notifications registered:</p> <ul style="list-style-type: none"> <li>• Agriculture – 5;</li> <li>• Rules of origin – 1;</li> <li>• Sanitary and phytosanitary measures – 3;</li> <li>• Trade and development – 1.</li> </ul>	<ul style="list-style-type: none"> <li>• The modest number of notifications suggests that more can be done to improve the country's notification system.</li> </ul>
<p><b>1.7.</b> Information not available.</p>	
<p><b>1.8.</b> Information not available.</p>	
<p><b>1.9.</b> Public-private consultations are conducted within the context of the Trade Facilitation Inter-Ministerial Committee guided by the Presidential decree No. 2601 of 19 October 2016.</p>	
<p><b>1.10.</b> There are 10 technical committees (TCs) on standardization, which bring together representatives from the public and private sectors. The committees are responsible for standards development</p>	<ul style="list-style-type: none"> <li>• Further research is needed to identify capacity needs in the area of standardization policy.</li> </ul>

Institutional and legislative set up governing trade in goods	Comments
and are housed in and supported by the Afghan National Standards Authority ( <a href="#">ANSA</a> ).	
<p><b>2.1. Government adopted:</b></p> <ul style="list-style-type: none"> <li>• WTO post accession strategy 2016-2031;</li> <li>• National Trade Policy;</li> <li>• National Priority Program and National Export Strategy that has a pillar on trade facilitation. <ul style="list-style-type: none"> <li>◦ Particularly the increase cross-border data sharing.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Implementation appears to be slow.</li> </ul>
2.2. Information not available.	
2.3. Information not available.	
<p><b>2.4.</b> The Customs Service processes customs declarations using ASYCUDA World. The system, which allows for online submission, processing and issuance of customs declaration, is implemented at all customs offices and forms a solid basis for establishing a SW facility following UN/CEFACT recommendation.</p>	
<p><b>3.1. Afghanistan is a full member of the:</b></p> <ul style="list-style-type: none"> <li>• International Standardization Organization (ISO);</li> <li>• South Asian Regional Standards Organization (SARSO);</li> <li>• Standards and Metrology Institute for the Islamic Countries (SMIIC).</li> </ul>	<ul style="list-style-type: none"> <li>• The country is not a signatory to the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement (MRA), the International Organization of Legal Metrology (OIML) and the International Committee for Weights and Measures MRA</li> </ul>
3.2. Information not available.	
3.3. Technical regulations development is not risk based.	
<p><b>3.4.</b> The national registry of standards is dominated by international standards (<a href="#">ANSA's List of Standards</a>).</p>	
3.5. Information not available.	
<p><b>4.1.</b> Customs clearance is risk based.</p> <ul style="list-style-type: none"> <li>• ASYCUDA World features a risk-based assessment and selectivity module.</li> </ul>	<ul style="list-style-type: none"> <li>• Pre-shipment inspection is yet to be dismantled, according to the World Integrated Trade <a href="#">Solution</a>.</li> </ul>
<p><b>4.2.</b> Preparations are underway for introducing pre-arrival processing of imports.</p> <ul style="list-style-type: none"> <li>• National Priority Program 2019-2023;</li> </ul>	

Institutional and legislative set up governing trade in goods	Comments
<ul style="list-style-type: none"> <li>• Afghan Customs Department Strategic Plan 2018-2022.</li> </ul>	
<p>4.3. Preparations are underway for introducing post-clearance audit.</p> <ul style="list-style-type: none"> <li>• Afghan Customs Department Strategic Plan 2018-2022;</li> <li>• National Priority Program 2019-2023.</li> </ul>	
<p>4.4. The introduction of an Authorized Economic Operator (AEO) scheme ranks high on the Customs development agenda.</p> <ul style="list-style-type: none"> <li>• Afghan Customs Strategy 2019-2022.</li> </ul>	
<p>4.5. Information not available.</p>	
<p>4.6. Information not available.</p>	
<p>4.7. ANSA has a regulatory arm with the mandate to inspect imports (except for food and pharmaceuticals) for safety as per the technical regulations. Currently, ANSA had offices that inspect imported petroleum products and is planning to initiate inspection of construction materials in near future.</p> <p><i>Note: Recent reform and capacity building achievements (<a href="#">ADB, CAREC corridor performance measurement and monitoring report, 2019</a>):</i></p> <ul style="list-style-type: none"> <li>• Torkham BCP began 24 hours by 7 days (24/7) operations which decreased border crossing times.</li> <li>• The first export shipment by rail from Afghanistan to the People’s Republic of China (PRC), transiting Uzbekistan and Kazakhstan.</li> </ul>	<ul style="list-style-type: none"> <li>• More needs to be done to strengthen the capacity of border control agencies. The involvement of ANSA in border control functions is linked to the scarcity of resources.</li> <li>• BCPs lack the required infrastructure. Some of the most time-consuming BCPs (<a href="#">ADB, 2019</a>): <ul style="list-style-type: none"> <li>– Torkham,</li> <li>– Spin Buldak,</li> <li>– Shirkhan Bandar.</li> </ul> </li> </ul>
<p>5.1. Afghanistan is a signatory to several UNECE transport conventions and protocols.</p> <p>See Annex 3.</p>	
<p>5.2. Information not available.</p>	
<p>5.3. There is collaboration of customs and border procedures with Tajikistan, including on customs data exchange.</p>	<p>SPECA countries do not have a common system for rapid exchange of information.</p>

## Azerbaijan

Institutional and legislative set up governing trade in goods	Comments
<p><b>1.1.</b> Signatory to the below international agreements, which carry immediate contribution to improving transparency in trade.</p> <ul style="list-style-type: none"> <li>• Aarhus Convention (Law №5 as of 12 January 2001);</li> <li>• Agreement on open entry and procedure for exchange of open scientific and technical information of the State Parties of the CIS as of 11 September 1998.</li> </ul>	
<p><b>1.2.</b> Relevant laws, decrees, and decisions:</p> <ul style="list-style-type: none"> <li>• Cabinet of Ministers Decision № 50 “About approval of Rules of the organization of activities of call centers in state bodies” and National Strategy for Open Government as of 25 February 2015.</li> </ul>	
<p><b>1.3.</b> Up to date information on trade-related laws are published on:</p> <ul style="list-style-type: none"> <li>• CIS <a href="#">legal database</a>.</li> </ul>	
<p><b>1.4.</b> Draft laws are published online for prior consultations on:</p> <ul style="list-style-type: none"> <li>• The <a href="#">official website</a> of the National Assembly of Azerbaijan.</li> </ul>	
<p><b>1.5.</b> Information on applicable trade rules and procedures is available on:</p> <ul style="list-style-type: none"> <li>• <a href="#">AZEXPORT Portal</a>;</li> <li>• <a href="#">Digital Trade Hub of Azerbaijan website</a>;</li> <li>• <a href="#">Ministry of Economy of Azerbaijan</a>;</li> <li>• <a href="#">State Customs Committee</a>;</li> <li>• <a href="#">Ministry of Justice</a>.</li> </ul>	
<p><b>1.6.</b> Azerbaijan has established online inquiry points for addressing the queries and concerns of traders (<a href="mailto:enquiry@azstand.gov.az">enquiry@azstand.gov.az</a>) along with help desks/call centers operated by the Ministry of Economy and Industry:</p> <ul style="list-style-type: none"> <li>• <a href="#">195 Call Center</a>;</li> <li>• State Customs Committee "<a href="#">Trust line</a>".</li> </ul>	
<p><b>1.7.</b> Information not available.</p>	
<p><b>1.8.</b> Information not available.</p>	
<p><b>1.9.</b> Public-private consultations organized by the Public Councils <a href="#">webpage</a>, consisting of representatives of Customs Service and</p>	

Institutional and legislative set up governing trade in goods	Comments
business entities pursuant to Presidential Decree No. 1993 as of 27 April 2016.	
<p><b>1.10.</b> There are 14 technical committees on standardization, found in the National Technical Committees' official <a href="#">website</a>, which bring together representatives from the public and the private sectors.</p>	
<p><b>2.1.</b> Azerbaijan's Customs code is based on the WCO Revised Kyoto Convention. <i>Note: Azerbaijan is a signatory to the Convention.</i></p>	
<p><b>2.2.</b> Efforts are guided by the Presidential Decree on additional measures for strengthening of the position of the Republic of Azerbaijan as a Digital Trade Hub and expansion of foreign trade operations as of 23 February 2017.</p>	
<p><b>2.3.</b> E-commerce legislation found on the Digital Trade Hub's relevant <a href="#">webpage</a>.</p>	
<p><b>2.4.</b> Information requirements are collected and processed in a paperless environment through the <a href="#">Single Automated Management System</a> (SAMS), which follows UNECE Recommendation 33.</p> <ul style="list-style-type: none"> <li>• An online platform (Digital Trade Hub) was created to provide a platform for paperless trade and e-commerce, on the relevant <a href="#">webpage</a>.</li> <li>• Web-based integrated application through <a href="#">e-Government Portal</a> is implemented.</li> </ul>	
<p><b>3.1.</b> Azerbaijan is a full member of the:</p> <ul style="list-style-type: none"> <li>• Inter State Council for Standardization;</li> <li>• International Standards Organization (ISO);</li> <li>• Inter-Regional Association for Standardization (IRSA);</li> <li>• Metrology and Certification CIS (EASC);</li> <li>• SMIIC (Standards and Metrology Institute for Islamic Countries).</li> </ul> <p>In addition:</p> <ul style="list-style-type: none"> <li>• Azerbaijan Accreditation Centre (AZAK) is an Associate Member of ILAC;</li> </ul>	

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<ul style="list-style-type: none"> <li>•Azerbaijan Institute of Standardization is a Companion Standardization Body of CEN;</li> <li>•Azerbaijan is an OIML Corresponding Member.</li> </ul>	
<p><b>3.2. Regional coordination mechanisms:</b></p> <ul style="list-style-type: none"> <li>•EASC Agreement on principles of certification and mutual recognition of certification as of 4 June 1992;</li> <li>•EASC Agreement on mutual recognition of State test results and type approval, metrological certification and calibration of measurements means as well as accreditation results of laboratories which carry out tests and calibration of measurements means of October 1992.</li> <li>•CIPM MRA as of 28 January 2015.</li> </ul>	<p>Mutual recognition of conformity assessment tests and certificates within CIS remains work in progress. The European Committee for Standardization (CEN), the European Committee for Electrotechnical Standardization (CENELEC) and the European Telecommunications Standards Institute (ETSI) have signed a Memorandum of Understanding with the Euro-Asian Council for Standardization, Metrology and Certification (EASC). The agreement, which was signed on <a href="#">24 May 2012</a>, provides a basis for closer collaboration on various aspects of standardization, which will facilitate trade in goods and services between Europe and the countries of the Commonwealth of Independent States (CIS).</p>
<p><b>3.3. Technical regulations are risk based, and Regulatory Impact Assessments (RIA) falls under the responsibility of the Ministry of Economy (as of 2017).</b></p>	<p>RIA is undermined by the lack of a clear methodology.</p>
<p><b>3.4. International and regional CIS harmonized standards account for 40% of Azerbaijan's national registry of standards.</b></p> <ul style="list-style-type: none"> <li>•As stated in the <a href="#">Standards Catalogue of Azerbaijan</a>.</li> </ul>	
<p><b>3.5. Information not available.</b></p>	
<p><b>4.1. Customs clearance is risk based.</b></p> <ul style="list-style-type: none"> <li>• SAMS features a risk-based assessment and selectivity module.</li> </ul>	
<p><b>4.2. SAMS provides for advance lodging of documents (in electronic format) for pre-arrival processing of imports.</b></p>	
<p><b>4.3. Preparations are underway for introducing Post Clearance Audit (PCA) at all BCPs.</b></p>	

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<p><b>4.4.</b> Customs operates an AEO program which follows the World Customs organization (WCO) AEO model.</p> <p>Traders benefit from lower rate of physical inspections of imported/exported goods, faster release of shipments and preferential treatment by Customs Authorities (Presidential Decree No. 427 on approval of “Regulation for foreign trade participants to obtain the rights of permanent use of ‘Green Corridor’ Gating System, termination, cancellation and restoration of that right” as of 21 December 2018).</p>	
<p><b>4.5.</b> Border control is organized according to the principle of "two services at the border".</p> <ul style="list-style-type: none"> <li>• Control functions are carried out by Border Police (passport checks) and Customs Service (health, veterinary and phyto-sanitary inspections and customs clearance).</li> <li>• Simplified procedures for appealing decisions on customs decisions: Appeals can be submitted <a href="#">online</a> and appeals should be processed within 10 (ten) days (Customs Code, Art. 221.3).</li> </ul>	<p>4.5 Azerbaijan uses pre-shipment inspection.</p>
<p><b>4.6.</b> Information not available.</p>	
<p><b>4.7.</b> Information not available.</p>	
<ul style="list-style-type: none"> <li>• 5.1. Azerbaijan is a signatory to:</li> <li>• CIS Protocol About cooperation and mutual assistance in customs affairs amended as of 1 June 2018;</li> <li>• Azerbaijan acceded to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (Law No. 892-VQ of 1 December 2017);</li> <li>• Azerbaijan is also a signatory/party to several UNECE transport protocols and conventions (Annex 3).</li> </ul>	
<p><b>5.2.</b> SAMS allows Customs to exchange information with its counterparts in other countries, particularly GUAM.</p>	<p>SPECA countries do not have a common system for rapid exchange of information</p>

Institutional and legislative set up governing trade in goods	Comments
<ul style="list-style-type: none"> <li>•The Customs Service exchanges trade documents with their counterparts in the EU through the <a href="#">Digital Trade Hub</a> on: <ul style="list-style-type: none"> <li>○ Customs declarations;</li> <li>○ Quality, health, veterinary and phytosanitary certificates;</li> <li>○ Transport documents;</li> </ul> </li> <li>•The Digital Trade Hub also supports the exchange of information between the Azeri Customs Service and its counterparts in the EU on exemptions from liability under sales contracts (<i>force majeure</i>), medical data, and the movement of persons.</li> </ul>	
<p><b>5.3. Joint control at the BCPs between Georgia and Azerbaijan (Red Bridge BCP).</b></p>	

## Kazakhstan

Institutional and legislative set up governing trade in goods	Comments
<p><b>1.1.</b> Signatory to the below international agreements, which carry immediate contribution to improving transparency in trade</p> <ul style="list-style-type: none"> <li>• Aarhus Convention (Law No.92-II 3PK of 23 October 2000);</li> <li>• WTO TFA (Law No. 356-V of 12 October 2015);</li> <li>• Agreement on open entry and procedure for exchange of open scientific and technical information of the State Parties of the CIS of 11 September 1998.</li> </ul>	
<p><b>1.2.</b> Relevant laws, decrees, and decisions:</p> <ul style="list-style-type: none"> <li>• Government Decree №. 718 on the establishment and operation of the Information Center on Technical Barriers to Trade, Sanitary and Phytosanitary Measures of 11 July 2005;</li> <li>• Law about community councils No. 383-V 3PK of 2 November 2015 for guiding public-private sector consultations;</li> <li>• Government Law No. 401-V on access to information of 16 November 2015;</li> <li>• Government Decree No. 827 on State Digital Kazakhstan Program of 12 December 2017.</li> </ul>	
<p><b>1.3.</b> Up to date information on trade-related laws are published on:</p> <ul style="list-style-type: none"> <li>• CIS <a href="#">legal database</a>.</li> <li>• Non-tariff measures at HS 6-digit product classification are available at the UNCTAD TRAINS <a href="#">database</a>.</li> <li>• Trade facilitation measures are published on the WTO's Trade Facilitation Agreement <a href="#">database</a>.</li> </ul>	<p>Reference pricing lists for imported goods are not published as per international best practices (WCO Guide on Customs Valuation and Transfer Pricing, available <a href="#">here</a>).</p>
<p><b>1.4.</b> Draft laws are published online for prior consultations on:</p> <ul style="list-style-type: none"> <li>• «open normative acts» (<a href="http://www.legalacts.egov.kz">www.legalacts.egov.kz</a>);</li> <li>• EAEU's <a href="#">Legal Portal</a> for harmonized draft laws.</li> </ul>	<p>«open normative acts» (<a href="http://www.legalacts.egov.kz">www.legalacts.egov.kz</a>). The link is broken.</p>
<p><b>1.5.</b> Information on applicable trade rules and procedures is available on:</p>	

Institutional and legislative set up governing trade in goods	Comments
<ul style="list-style-type: none"> <li>• <a href="#">Official Site</a> of the President of the Republic of Kazakhstan;</li> <li>• Legal information system of Regulatory Legal Acts of the</li> <li>• Republic of Kazakhstan's official <a href="#">website</a>;</li> <li>• Statistics and Analytics on Kazakhstan's Foreign Trade <a href="#">portal</a>.</li> </ul>	
<p><b>1.6.</b> Ministry of trade and integration is responsible for notifying the WTO on changes in national laws pertaining to Trade Facilitation, Sanitary and Phytosanitary measures, etc.</p>	
<p><b>1.7.</b> Help desks/hotlines for addressing questions raised by traders is available on:</p> <ul style="list-style-type: none"> <li>• The <a href="#">e-gov.portal</a>, and help desks of different agencies, as part of the "Digital Kazakhstan" initiative;</li> <li>• In addition, the Kazakhstan Institute of Standardization and Certification acts as the Information Center on Technical Barriers to Trade, Sanitary and Phytosanitary Measures; <ul style="list-style-type: none"> <li>○ Government Decree No. 718 of 11 July 2005;</li> <li>○ This center has branches in the Ministry of Health and the Ministry of Agriculture. Traders can submit their queries by E-mail (<a href="mailto:enquiry@kazinst.sko@mail.ru">enquiry@kazinst.sko@mail.ru</a>) or online through the Kazakhstan Institute for Standardization and Certification's <a href="#">website</a> and on the Akimat of North Kazakhstan region's <a href="#">website</a>.</li> </ul> </li> </ul>	
<p><b>1.8.</b> The Government has an established notification system for alerting traders on changes in applicable trade-related rules and administrative procedures by email: (<a href="mailto:kazinst.sko@mail.ru">kazinst.sko@mail.ru</a>; <a href="mailto:enquiry@kazinst.sko@mail.ru">enquiry@kazinst.sko@mail.ru</a>).</p>	
<p><b>1.9.</b> Public-private consultations are carried out by the Public Councils which were established on January 2016 under line ministries and local governments, as described in the Ministry of Information</p>	<p>The public councils are still in their infancy and were faced by several challenges including the lack of financial resources and duplication of work. Details are available <a href="#">here</a>.</p>

Institutional and legislative set up governing trade in goods	Comments
<p>and Public Development of the Republic of Kazakhstan’s official <a href="#">website</a>.</p> <p><i>Note: these comprised 229 public councils as of March 2018 and brought together over 4,000 members.</i></p> <p>The National Chamber of Entrepreneurs of Kazakhstan "Atameken" provides another <a href="#">forum</a> for public-private sector consultations, along with the <a href="#">online forum</a> “Open Dialogue” as part of the e-government portal (Prime Minister Decree № 8-p on the Regulations on the Interagency Commission of the Republic of Kazakhstan on foreign trade policy and participation in international economic organizations and interagency commission (IAC) was established as of 25 January 2018).</p> <p><i>Note: the law defines the composition of the IAC, which includes representatives State agencies and the private sector.</i></p>	
<p><b>1.10.</b> Standard-setting activities are undertaken by Technical Committees on Standardization which brings together representatives from the public and private sector organizations.</p> <ul style="list-style-type: none"> <li>• As of June 2020, these comprised over 50 committees.</li> </ul>	
<p><b>2.1.</b> Kazakhstan is a signatory to:</p> <ul style="list-style-type: none"> <li>• ATF;</li> <li>• WCO Revised Kyoto Convention (RKC);</li> <li>• Eurasian Economic Union (EAEU) Common Customs Code.</li> </ul>	
<p><b>2.2.</b> Trade documents are standardized, streamlined, and harmonized following UN/CEFACT recommendations, as established under, among others:</p> <ul style="list-style-type: none"> <li>• № 22: The rules for the provision of freight forwarder services, approved by Order of the Minister of Transport and Communications of the Republic of Kazakhstan decision No. 296-I as of 28 July 2004;</li> </ul>	

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<ul style="list-style-type: none"> <li>• № 1: Resolution No. 257 "On the Procedure for Filling the Customs Declarations and Customs Declaration Forms" of the Commission of the Customs Union as of 20 May 2010;</li> <li>• № 16: Order of the Chairman of the Customs Control Committee of the Ministry of Finance of the Republic of Kazakhstan decision No. 452 on the national code classifier of the customs authorities of the Republic of Kazakhstan as of 2 July 2011; <i>Note: "On the code qualifier of customs authorities";</i></li> <li>• №. 24: The Order of the Minister of Finance of the Republic of Kazakhstan decision No. 259 "On approval of classifiers" approved the classifier "nature of the transaction" as of 21 February 2018;</li> <li>• № 6: Order of the First Deputy Prime Minister of the Republic of Kazakhstan - Minister of Finance of the Republic of Kazakhstan No. 370 on the rules of invoicing in electronic form in the information system of electronic invoices as of 22 April 2019.</li> </ul>	
<p><b>2.3. Data requirements are standardized using UN/CEFACT business standards:</b></p> <ul style="list-style-type: none"> <li>• Core Component Library;</li> <li>• Reference Data Models;</li> <li>• XML Schema;</li> <li>• Rec 25 on Use of the UN Electronic Data Interchange for Administration, Commerce and Transport Standard-UN/EDIFACT;</li> <li>• Code List Recommendations and Libraries;</li> <li>• WCO Data Model;</li> <li>• Law of the Republic of Kazakhstan "On Electronic Document and Electronic Digital Signature" as of 7 January 2003;</li> <li>• Law of the Republic of Kazakhstan "On the Regulation of Trading Activities" as of 12 April 2004;</li> </ul>	

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<ul style="list-style-type: none"> <li>• Order of the Acting Minister for Investment and Development of the Republic of Kazakhstan No. 149 “On Approval of the Rules for Confirming the Authenticity of an Electronic Digital Signature by a Trusted Third Party of the Republic of Kazakhstan” as of 23 February 2015;</li> <li>• UN/CEFACT №31: Order of the Acting Minister of National Economy of the Republic of Kazakhstan No. 720 “On approval of the Rules for the implementation of electronic commerce, including the operation of electronic trading platforms” as of 25 November 2015.</li> </ul>	
<p><b>2.4. Customs automated administration system ASTANA 1, Single Window of the Republic of Kazakhstan for Export and Import Operations <a href="#">portal</a>, which forms the basis for developing a SW facility in line with UN/CEFACT Recommendation 33.</b></p>	<p>As of 1 January 2018, customs declaration can be submitted electronically through ASTANA-1.</p>
<p><b>3.1. Kazakhstan is a member of:</b></p> <ul style="list-style-type: none"> <li>• International Standards Organization (ISO);</li> <li>• Euro-Asian Council for standardization, Metrology and Certification (EASC);</li> <li>• Euro-Asian Cooperation of State Metrological Institutions (COOMET);</li> <li>• International Accreditation Forum (IAF) and ILAC, represented by the National Center of Accreditation.</li> <li>• International Electrotechnical Commission (IEC), represented by the Committee for Technical Regulation and Metrology of the Ministry of Industry and New Technologies of Kazakhstan;</li> <li>• International Telecommunication Union (ITU), represented by the Ministry of Transport and Communications of Kazakhstan;</li> <li>• Inter-Regional Association for Standardization (IAS);</li> <li>• OIML and is a signatory to CIPM MRA.</li> </ul>	

Institutional and legislative set up governing trade in goods	Comments
<p>3.2. Regional coordination mechanisms:</p> <ul style="list-style-type: none"> <li>• EASC Agreement on principles of certification and mutual recognition of certification as of 4 June 1992;</li> <li>• EASC Agreement on mutual recognition of State test results and type approval, metrological certification and calibration of measurements means as well as accreditation results of laboratories which carry out tests and calibration of measurements means as of October 1992;</li> <li>• EAEU agreements on Unified List of Products, for which mandatory requirements are established within the Customs Union, with amendments as of 21 February 2020.</li> <li>• Signatory to the International Plant Protection Convention under President Decree № 980 as of April 2010;</li> <li>• Agreement between the Government of Kazakhstan and the Government of Georgia on cooperation in the field of standardization, metrology and conformity assessment (2016). Similar agreements were established with Turkmenistan (2007), and Qatar (2007);</li> <li>• The National Center of Accreditation of Kazakhstan is a signatory to the ILAC Mutual Recognition Arrangement. <ul style="list-style-type: none"> <li>- Calibration: ISO/IEC 1702527 as of October 2010;</li> <li>- Certification of Persons - ISO/IEC 17024</li> <li>- Management Systems Certification - ISO/IEC 17021-1</li> <li>- Medical Testing: ISO 15189;</li> <li>- Product Certification - ISO/IEC 17065</li> <li>- Signatory to the IAF MLA</li> <li>- Testing: ISO/IEC 1702527;</li> </ul> </li> <li>• Kazakhstan also maintains a Regional online <a href="#">platform</a> containing the registry of standards adopted in Kyrgyzstan, Kazakhstan and Tajikistan.</li> </ul>	<p>Mutual recognition of conformity assessment tests and certificates within CIS remains work in progress.</p>

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<p>3.3. RIA falls under the responsibility of the Ministry of National Economy (Department of Enterprise Development) and Atameken guided by:</p> <ul style="list-style-type: none"> <li>• Article 28 of the Entrepreneurial Code of Kazakhstan;</li> <li>• Law № 375-V about permissions and notifications as of 29 October 2015.</li> </ul>	
<p>3.4. International standards constitute 38 percent of the national registry of standards:</p> <ul style="list-style-type: none"> <li>• National Standards - 9,606</li> <li>• International (ISO ect.) 35,347 (38%)</li> <li>• Interstate standards 25,398</li> </ul> <p>Note: As stated in the <a href="#">Unified State Fund of Regulatory Technical Documents</a>.</p>	
<p>3.5. Information not available.</p>	
<p>4.1. Border control is risk-based, with automated customs administration system (ASTANA 1).</p> <ul style="list-style-type: none"> <li>• Developed following the introduction of ASYCUDA, which features a risk assessment and selectivity module.</li> </ul>	<p>Simplified procedures for appealing decisions do not exist delays at the border due to excessive reliance on physical inspection (green channel does not work)</p>
<p>4.2. Pre-arrival processing of imports is well established as part of ASTANA 1 risk based assessment and selectivity module.</p>	<p>Procedures for allowing the release of imports prior to final determination and payment of customs duties, taxes, fees and charges are being developed.</p>
<p>4.3. Preparations are underway for introducing Post Clearance Audit (PCA) at all BCPs.</p>	
<p>4.4. Kazakhstan has an AEO program which follows WCO AEO model.</p>	
<p>4.5. International Vehicle Weight Certificate introduced in 2011 based on UNECE International Convention on the Harmonization of Frontier Control of Goods (Annex 8) for facilitating border crossing procedures associated with the transport of cargo by road.</p> <ul style="list-style-type: none"> <li>• Approved by order of the Minister of Transport and Communications of the Republic of Kazakhstan № 87 as of 23 February 2011.</li> </ul>	<p>BCP facilities are being developed. The authorities are yet to implement joint control.</p>
<p>4.6. Information not available.</p>	

Institutional and legislative set up governing trade in goods	Comments
4.7. Information not available.	
<p><b>5.1. Collaborative cross border control is based on</b></p> <ul style="list-style-type: none"> <li>• EAEU digital agenda;</li> <li>• EAEU Mutual Recognition of Electronic Supporting Documents;</li> <li>• The EEU Digital Transport Corridors Ecosystem Concept, Development of Models for Transboundary Data Traffic Control (Eurasian transport corridors for supporting shipment by road);</li> <li>• International carriage of goods by road between the Member State of registration and another Member State, in transit, between other Member States; <ul style="list-style-type: none"> <li>▪ <i>Note: functions on a permit basis;</i></li> </ul> </li> <li>• EAEU Agreement about submission and exchange of preliminary information on goods and vehicles crossing the customs border of the Customs union as of 21 May 2010;</li> <li>• CIS Protocol about cooperation and mutual assistance in customs affairs (amended as of 1 June 2018);</li> <li>• Agreement between the governments of the member states of the Shanghai Cooperation Organization on cooperation and mutual assistance in customs matters (Law of the Republic of Kazakhstan No. 119-IV of 5 January 2009);</li> <li>• Bilateral Agreement on cooperation and mutual assistance in customs matters: <ul style="list-style-type: none"> <li>○ Between Government of KAZ and the Government of Lithuania; <ul style="list-style-type: none"> <li>▪ Decree of the Government of Kazakhstan № 909 as of 16 June 2000;</li> </ul> </li> <li>○ Between the Government of Kazakhstan and the Government of Turkmenistan; <ul style="list-style-type: none"> <li>▪ Decree of the Government of Kazakhstan № 778 as of 15 July 2002;</li> </ul> </li> <li>○ Between the Government of Kazakhstan and the Government of Turkey; <ul style="list-style-type: none"> <li>▪ Law № 582 as of 9 July 2004;</li> </ul> </li> </ul> </li> </ul>	

Institutional and legislative set up governing trade in goods	Comments
<ul style="list-style-type: none"> <li>○ Between the Government of Kazakhstan and the Government of Netherlands; <ul style="list-style-type: none"> <li>▪ Law № 595 as of 9 July 2004;</li> </ul> </li> <li>○ Between the Government of Kazakhstan and the Government of Poland; <ul style="list-style-type: none"> <li>▪ Law №18 as of 22 December 2004;</li> </ul> </li> <li>○ Between the Government of Kazakhstan and the Government of Georgia; <ul style="list-style-type: none"> <li>▪ Decree of the Government of Kazakhstan №. 246 as of 29 March 2014;</li> </ul> </li> <li>• Kazakhstan is a signatory/party to several UNECE transport protocols and conventions (Annex 3).</li> </ul>	
<p><b>5.2.</b> Kazakh customs shares information with its counterparts in the EAEU using an integration information system (Decision of the Commission of the Customs Union № 22 as of 27 November 2009). <i>Note: undergoing further development.</i></p>	<p>EAEU and SPECA countries do not have a common system for rapid exchange of information Kazakhstan is not a member of regional systems for rapid exchange of information.</p>
<p><b>5.3.</b> Information not available.</p>	

## Kyrgyzstan

Institutional and legislative set up governing trade in goods	Comments
<p><b>1.1.</b> Signatory to the below international agreements, which carry immediate contribution to improving transparency in trade</p> <ul style="list-style-type: none"> <li>• WTO ATF in 2016 (Law No. 183 ЗКР as of 22 November 2016);</li> <li>• Aarhus Convention in 2001 (Law No. 5 as of 12 January 2001);</li> <li>• Agreement on open entry and procedure for exchange of open scientific and technical information of the State Parties of the CIS as of 11 September 1998.</li> </ul>	
<p><b>1.2.</b> Relevant laws, decrees, and decisions:</p> <ul style="list-style-type: none"> <li>• Law No. 89 on guarantees and freedom of access to information of 5 December 1997;</li> <li>• Law No. 213 on the access to information available to governmental authorities and local-government institutions of 28 December 2006;</li> <li>• Law No. 74 on community councils of state bodies of 24 May 2014;</li> <li>• Law No. 127 on e-Government 19 July 2017.</li> </ul>	
<p><b>1.3.</b> Up to date information on trade-related laws are published on:</p> <ul style="list-style-type: none"> <li>• CIS <a href="#">legal database</a>.</li> <li>• Trade facilitation measures are published on the WTO's Trade Facilitation Agreement <a href="#">database</a>.</li> </ul>	
<p><b>1.4.</b> Draft laws are published on:</p> <ul style="list-style-type: none"> <li>• The Ministry of Economy of Kyrgyz Republic's online discussion <a href="#">platform</a>;</li> <li>• Ministry of Agriculture, Food Industry and Reclamation of the Kyrgyz Republic's official <a href="#">website</a>;</li> <li>• Kyrgyz Republic Parliament's official <a href="#">website</a>;</li> <li>• The EAEU's <a href="#">Legal Portal</a> for harmonized draft laws;</li> <li>• Kyrgyz Republic Government's Regulations <a href="#">portal</a>.</li> </ul>	
<p><b>1.5.</b> Information on applicable trade rules and procedures is available on:</p>	

Institutional and legislative set up governing trade in goods	Comments
<ul style="list-style-type: none"> <li>• Ministry of Justice of the Kyrgyz Republic's law <a href="#">portal</a>;</li> <li>• Customs Legislation of the Eurasian Economic Union <a href="#">webpage</a>;</li> <li>• Local Customs Legislation's <a href="#">webpage</a>;</li> <li>• The Ministry of Economy of Kyrgyz Republic created online discussion <a href="#">platform</a>.</li> </ul>	
<p><b>1.6.</b> Ministry of economy of Kyrgyz Republic acts as the WTO Inquiry Point.  <i>Note: number of submitted notifications needs to be added.</i></p>	
<p><b>1.7.</b> Help desks/hotlines for addressing questions raised by traders is available on:  <i>Note: each agency has its own help desk;</i></p> <ul style="list-style-type: none"> <li>• Customs' email contact <a href="mailto:doverie@customs.gov.kg">doverie@customs.gov.kg</a>;</li> <li>• Traders can also use the online <a href="#">portal</a> for submitting requests and appealing decisions by state agencies.</li> </ul>	
<p><b>1.8.</b> A system for notifying enterprises on changes in trade laws is being developed.</p>	
<p><b>1.9.</b> Council on Development of Business and Investments under the Government of the Kyrgyzstan's <a href="#">website</a> and National Trade Facilitation Committee (NTFC) as per Government Decree No. 435 of 17 July 2017 and Law No.74 about community councils' public councils of state bodies legalizes public-private sector consultative mechanism as of 24 May 2014.</p> <ul style="list-style-type: none"> <li>○ The NTFC has 6 Working Groups, listed <a href="#">here</a>;</li> </ul>	
<p><b>1.10.</b> There are 20 technical committee on standardization, found in the Center for Standardization and Metrology at Ministry of Economy of The Kyrgyz Republic Kyrgyzstan's <a href="#">website</a>, which bring together representatives from the public and private sectors:  <i>Note: Kyrgyzstan also participates in 70 technical interstate committees as observers or active members, as listed <a href="#">here</a>.</i></p>	
<p>2.1. Efforts are guided by:</p>	

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<ul style="list-style-type: none"> <li>• Customs is undertaking preparations to join the WCO revised Kyoto Convention;</li> <li>• As a member of the EAEU, Kazakhstan has adopted the EAEU Customs Code;</li> <li>• National Strategy for Development of the Customs Service of the Kyrgyz Republic for 2019-2023 and an Action Plan for its implementation (Government Decree No. 363 of 22 July 2019);</li> <li>• Government Decree № 201 as of 11 April 2018 on the establishment of Center for Electronic Interaction for inter-agency electronic interaction under the State Committee for Information Technologies and Communications of the Kyrgyz Republic.</li> </ul>	
<p><b>2.2.</b> Simplification, harmonization, and standardization of information requirements are in line with EAEU decisions and draw on the recommendations of UN/CEFACT.</p>	
<p><b>2.3.</b> The national SW facility is in line with UN/CEFACT recommendation 33.  <i>Note: it is configured as a pre-customs, web-based Single Window Information System (SWIS) and allows enterprises to submit requests for trade documents online in a single undertaking enables State agencies to deliver the requested documents through a single channel;</i></p> <ul style="list-style-type: none"> <li>○ <i>The SWIS is connected to 11 State agencies and is electronically interfaced with the Customs UAIS, Department for Medicine and Medical Equipment of the Ministry of Health and the State Tax Service and has been operating on a commercial basis as of January 2014;</i></li> <li>○ <i>The SWIS is being upgraded, traders can submit all documents in a single undertaking and customs declarations are issued electronically.</i></li> </ul>	
<p><b>2.4.</b> Information not available.</p>	
<p><b>3.1.</b> Kyrgyz Republic is a full member of the:</p>	

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<ul style="list-style-type: none"> <li>• International Standards Organization (ISO);</li> <li>• Inter State Council for Standardization, Metrology and Certification CIS (EASC);</li> <li>• Inter-Regional Association for Standardization (IAS);</li> <li>• Standards and Metrology Institute for Islamic Countries (SMIIC);</li> <li>• Pacific Accreditation Cooperation (PAC);</li> <li>• APAC;</li> <li>• IHAF and IAF;</li> <li>• OIML;</li> <li>• Euro-Asian Cooperation of State Metrological Institutions (COOMET).</li> </ul>	
<p><b>3.2. Regional coordination mechanisms</b></p> <ul style="list-style-type: none"> <li>• EASC Agreement on principles of certification and mutual recognition of certification of 4 June 1992;</li> <li>• EASC Agreement on mutual recognition of state test results and type approval, metrological certification and calibration of measurements means as well as accreditation results of laboratories which carry out tests and calibration of measurements means as of October 1992;</li> <li>• EAEU Agreement on Unified List of Products, for which mandatory requirements are established within the Customs Union, with amendments as of 21 February 2020;</li> <li>• Kyrgyz Center of Accreditation (KCA) signed; <ul style="list-style-type: none"> <li>○ MRA ILAC in the fields of testing (2013) and calibration (2018);</li> <li>○ IAF MLA Product Recognition.</li> </ul> </li> </ul>	<p>Mutual recognition of conformity assessment tests and certificates within CIS remains work in progress.</p>
<p><b>3.3. Ministry of economy of Kyrgyz Republic is responsible for implementation of regulatory impact assessments.</b></p> <ul style="list-style-type: none"> <li>• Government of the Kyrgyz Republic approved the Methodology for the analysis of the regulatory impact of regulatory legal acts on the activities of business entities ( Government Decree No. 559 of 30 September 2014).</li> </ul>	

Institutional and legislative set up governing trade in goods	Comments
3.4. Regional CIS harmonized standards account for around 70 percent of the national registry of standards.	
•3.5. Market surveillance is falls under the responsibility to the State inspection bodies such as Veterinary and Phyto sanitary inspection, State antimonopoly inspection, Sanitary inspection and others. (risk management methodology is not used)	
4.1. Work is underway to establish a risk-based assessment and selectivity module as part of the UAIS.	<p>(national) Kyrgyz Republic states that a few strategic BCPs (Torugart -Turgat; Irkeshtam-Zymkana; Kyzyl-Bel'-Guliston; Dostuk-Dustlik) are being reconstructed but, in most cases, there is not full infrastructure for clearing perishable goods.</p> <ul style="list-style-type: none"> <li>• In the TFA implementation plan, the measures for expediting the import of perishable goods are in place and should be implemented for 1-2 years; <ul style="list-style-type: none"> <li>○ However, the project has not started and is being discussed with GIZ.</li> </ul> </li> </ul>
4.2. Pre-arrival processing of imports is well established as part of UAIS system	(regional) There is no joint control at the BCPs.
4.3. Post clearance audit procedures are developed but not implemented and linked with risks	<p>BCPs lack basic infrastructure facilities for clearing goods, including:</p> <ul style="list-style-type: none"> <li>• Joint facilities for physical inspection of cargo;</li> <li>• Refrigeration points for perishable cargo;</li> <li>• Quarantine facilities at or close to BCPs;</li> <li>• Single cashiers for facilitating payments of taxes and customs clearance fees and charges;</li> <li>• Parking stations for cargo trucks: modern vehicle weighing equipment;</li> <li>• Scheduling system to ensure the continuity of customs services;</li> <li>• Traffic management systems for proper segregation, into lanes, of trucks, buses and cars with a fast track lane for trucks carrying transit cargo, perishable goods and AEO goods;</li> <li>• Non-intrusive inspection equipment.</li> </ul>

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<p><b>4.4.</b> The legislative basis for AEO is established under the EAEU new Customs Code.</p> <p><i>Note: the EAEU scheme follows the WCO AEO model.</i></p>	(national) Pre-shipment inspection was dismantled in 2001.
<p><b>4.5.</b> The Customs Code provides for the release of imports prior to the final determination and payment of customs duties, taxes, fees, and charges.</p>	(national) The simplified procedures for appealing decisions on customs valuation and decisions on product testing are in the process of development.
<p><b>4.6.</b> International Vehicle Weight Certificate was introduced in 2019 in accordance with Government Decree № 375 as of 30 July 2019.</p>	(regional) Customs has started to launch the automated system for expediting of express cargo.
<p><b>4.7.</b> Information not available.</p>	
<p><b>5.1.</b> EAEU digital agenda:</p> <ul style="list-style-type: none"> <li>• Mutual Recognition of Electronic Supporting Documents in the EAEU;</li> <li>• The EEU Digital Transport Corridors Ecosystem Concept, Development of Models for Transboundary Data Traffic Control; <ul style="list-style-type: none"> <li>○ Eurasian transport corridors for supporting shipment by road;</li> </ul> </li> <li>• The international carriage of goods by road; <ul style="list-style-type: none"> <li>○ Between the Member State of registration and another Member State, in transit, and between other Member States functions on a permit basis;</li> </ul> </li> <li>• EAEU Agreement about submission and exchange of preliminary information on goods and vehicles crossing the customs border of the Customs union as of 21 May 2010;</li> <li>• CIS Protocol about cooperation and mutual assistance in customs affairs; <ul style="list-style-type: none"> <li>○ Amended as of 1 June 2018;</li> </ul> </li> <li>• Kyrgyzstan is also a signatory/party to several UNECE transport protocols and conventions <ul style="list-style-type: none"> <li>○ See separate annex.</li> </ul> </li> </ul>	(regional) SPECA countries do not have a common system for rapid exchange of information.
<p><b>5.2.</b> Kyrgyz customs shares information with its counterparts in the EAEU using an integration information system.</p>	EAEU and SPECA countries do not have a common system for rapid exchange of information

Institutional and legislative set up governing trade in goods	Comments
<ul style="list-style-type: none"> <li>• Decision of the Commission of the Customs Union № 22 of November 27, 2009</li> </ul> <p><i>Note: the system is undergoing further development.</i></p>	<p>Kyrgyzstan is not a member of regional systems for rapid exchange of information</p> <p>Organization of joint control functions in designated common facilities with neighboring countries is not common.</p>
<p><b>5.3.</b> Information not available.</p>	

## Tajikistan

Institutional and legislative set up governing trade in goods	Comments
<p><b>1.1.</b> Signatory to the below international agreements, which carry immediate contribution to improving transparency in trade.</p> <ul style="list-style-type: none"> <li>• Agreement on Trade Facilitation;</li> <li>• UNECE Aarhus Convention;</li> <li>• Agreement on open entry and procedure for exchange of open scientific and technical information of the State Parties of the CIS of 22 September 1998.</li> </ul>	
<p><b>1.2.</b> Relevant laws, decrees, and decisions:</p> <ul style="list-style-type: none"> <li>• Law No. 55 on information of 10 May 2002;</li> <li>• Law No. 411 on the Right of Access to Information of 18 June 2008;</li> <li>• Law No. 846 on foreign trade activity of 3 July 2012 (Art.13):</li> <li>• Law No. 1299 on Investments as of 15 March 2016;</li> <li>• Law No. 1339 on appeals of individuals and legal entities as of 23 July 2016;</li> <li>• Law No. 1690 on Public Services as of 2 April 2020, which sets the legal basis for launching e-government services and stipulates the establishment of an e-Government.</li> </ul>	
<p><b>1.3.</b> Up to date information on trade-related laws are published on:</p> <ul style="list-style-type: none"> <li>• CIS <a href="#">legal database</a>.</li> </ul> <p><i>Note: full access is fee-based.</i></p> <ul style="list-style-type: none"> <li>• Non-tariff measures at HS 6-digit product classification are available at the UNCTAD TRAINS <a href="#">database</a>.</li> <li>• Trade facilitation measures are published at the WTO's Trade Facilitation Agreement <a href="#">database</a>.</li> </ul>	<p>It is sometimes the case that published information is outdated, suggesting the need for further assistance to maintain continuous engagement with these bodies and for notifying them on new/revised laws. For example, Tajikistan does not feature in the list of signatories to the RKC published on the WCO website.</p>
<p><b>1.4.</b> The Tajik Government solicits the private sector's views on draft laws within the context of public-private sector consultative meetings. The meetings are organized by the relevant State agencies in cooperation with the Chamber of Commerce and Industry.</p>	<p>State agencies lack the required expertise skills, internal rules/procedures and IT systems for managing e-consultations</p>

Institutional and legislative set up governing trade in goods	Comments
<p>Draft laws are published online as part of prior consultations processes on the official website's of the <a href="#">Ministry of Economic Development and Trade of the Government of the Republic of Tajikistan</a>; <a href="#">Ministry of Agriculture of the Government of the Republic of Tajikistan</a>; <a href="#">Agency of Standardization, Metrology, Certification and Trade Inspection under the Government of Republic of Tajikistan</a>; and the <a href="#">Customs Service under the Government of the Republic of Tajikistan</a>.</p>	
<p><b>1.5.</b> Information on applicable trade rules and procedures is available on:</p> <ul style="list-style-type: none"> <li>• The Customs Service Under the Government of the Republic of Tajikistan's official <a href="#">website</a>.</li> <li>• More detailed information on applicable rules and procedures is published on the national <a href="#">Trade Portal</a> of the Ministry of Economic and Trade of the Republic of Tajikistan; <ul style="list-style-type: none"> <li>○ <i>Note: the portal, which is managed by the Ministry of Economic Development and Trade, provides a user-friendly platform for navigating trade applied rules and procedures by product;</i></li> <li>○ <i>The next step would be to further develop the Portal so that it provides information on all applied customs procedures and establishing the required capacity for maintaining the Trade Portal beyond the international funding cycle;</i></li> </ul> </li> <li>• Most recently, the Tajik Government adopted the Law on Public Services (Law No. 1690 of 2 April 2020), which sets the legal basis for establishing an e-Government portal.</li> <li>• Coverage and number of days for obtaining advance rulings; efficiency and effectiveness of appealing valuation and product testing decisions (AFT, Articles 3 and 4).</li> </ul>	<p>Reference pricing lists for imported goods used for customs valuation are not published as per WCO guide on customs valuation and transfer pricing (available <a href="#">here</a>).</p>

Institutional and legislative set up governing trade in goods	Comments
<p><b>1.6.</b> As of 1 June 2020, 40 notifications on Sanitary and Phytosanitary measures, Trade Facilitation, including categorization A, B, and C, were submitted to the WTO.</p>	
<p><b>1.7.</b> Help desks/hotlines for addressing questions raised by traders is available on:</p> <ul style="list-style-type: none"> <li>• These are housed in the MEDT, the Ministry of Agriculture and Tajikstandart. The Inquiry Points benefited from capacity building within the context of donor funded projects. However, these help desk facilities/hotlines are yet to be used to their full potential, lacking the required expertise skills and resources to develop internal rules for guiding their work.</li> <li>• The Government is keen on establishing hotlines/help desks for addressing business inquiries by the Tajik trading community. <ul style="list-style-type: none"> <li>○ However, progress has been slow. As of June 2020, only a few agencies were operating hotlines, including Customs Authority (27-14-98, 221-75-33), State Supervision Service for Pharmaceutical Activities (tel:88.800.03.03; 88.800.03.30), CCI (+992 93 844 95 88; +992 000 11 04 04; +992 927 71 38 85; +992 900 01 43 29;+992 93 602 33 82).</li> <li>○ Moreover, these hotlines/help desks are yet being used to their full potential. They are not linked to a monitoring and evaluation policy and lack clear demarcation of responsibilities within individual agencies.</li> </ul> </li> <li>• The Government is also planning to create hotlines for transport companies' program for Development of the Transport Services (Government decree as of 29 February 2020 N° 150), but implementation has been hampered by</li> </ul>	

Institutional and legislative set up governing trade in goods	Comments
the lack of financial resources and expertise skills.	
<p><b>1.8.</b> The Consultative Council on Improvement of Investment Climate under the President of Tajikistan’s official <a href="#">website</a> provides an institutional mechanism for public-private sector consultations on improving the investment climate.</p> <p><i>Note: the NTFC, established in 2016 pursuant to the WTO Agreement on Trade Facilitation, is responsible for coordinating activities related to simplification, harmonization and standardization of foreign trade procedures and foreign trade transport (Government Decree No. 529. of 24 December 2016)</i></p>	<p>The Tajik Government does not have a notification system for alerting traders on changes in applicable trade-related rules and administrative procedures. Traders receive such notifications by the transport partnership in the CA in the form of email/viber alerts</p>
<p><b>1.9.</b> Information not available.</p>	<p>NTFC could benefit from further strengthening and extent of synergy between NTFC and the Council on Improvement of Investment to be established.</p>
<p><b>1.10.</b> Standard-setting activities are undertaken by technical committees which bring together representatives from the public and private sector organizations.</p> <p><i>Note: there are 9 technical committees according to the Law on Standardization.</i></p>	<p>The technical committees could benefit from further support in the form of improved expertise skills and financial resources.</p>
<p><b>2.1.</b> Agreement on Trade Facilitation, Revised Kyoto Convention (RKC).</p>	
<p><b>2.2.</b> Trade documents are streamlined, standardized, and harmonized following:</p> <ul style="list-style-type: none"> <li>• UN/CEFACT Recommendations No. 1 on UN Layout Key for Trade Documents and the customs declaration follows the EU Single Administrative Document (SAD).</li> </ul>	<p>Several documents remain difficult to obtain due to cumbersome procedures and support documents (<a href="#">See UNECE Roadmap</a>).</p>
<p><b>2.3.</b> Data requirements are standardized using:</p> <ul style="list-style-type: none"> <li>• UN/CEFACT Business standards; <ul style="list-style-type: none"> <li>○ Core Component Library;</li> <li>○ Reference Data Models; XML Schema;</li> </ul> </li> </ul>	

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<ul style="list-style-type: none"> <li>○ Recommendation No. 25 on Use of the UN Electronic Data Interchange for Administration, Commerce and Transport Standard- UN/EDIFACT;</li> <li>• ANSI X12 and PDF/A standards.</li> </ul>	
<p><b>2.4. The Tajik Customs Unified Automated Information System (UAIS)</b></p>	<p>Lack of integrated ICT platforms/facilities for supporting paperless trade (trade documents are paper based).</p> <ul style="list-style-type: none"> <li>• The Tajik Customs Unified Automated Information System (UAIS) is linked to only two agencies (the National Bank and the Tax Committee).</li> <li>• The SW facility is being development (pilot phase) in line with UNECE-UN/CEFACT Recommendation 33.</li> </ul>
<p><b>3.1. Tajikistan is a member of the below regional and international standard setting organizations:</b></p> <ul style="list-style-type: none"> <li>• Asia Pacific Accreditation Cooperation (APAC);</li> <li>• COOMET (Euro-Asian Cooperation of National Metrological Institutions);</li> <li>• Euro-Asian Council for Standardization Metrology and Certification (EASC);</li> <li>• International Standards Organization (ISO);</li> <li>• Interregional Standardization Association (IRSA-BASB).</li> </ul>	<p>The country is not a part of the ILAC MRA, OML, nor CIPM MIRA and conducts trade inspections via a state-controlled agency.</p>
<p><b>3.2. Regional cooperation mechanisms:</b></p> <ul style="list-style-type: none"> <li>• EASC Agreement on principles of certification and mutual recognition of certification of 4 June 1992;</li> <li>• EASC Agreement on mutual recognition of State test results and type approval, metrological certification and calibration of measurements means as well as accreditation results of laboratories, which carry out tests and calibration of measurements means as of October 1992.</li> <li>• The International Plant Protection Convention of 1997;</li> <li>• The CIS Agreement about cooperation in the field of quarantine of plants as of 28 October 2016 (Implemented via</li> </ul>	<p>Mutual recognition of conformity assessment tests and certificates within CIS remains work in progress.</p>

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<p>Government Decree 2016 No. 18 as of 15 January 2016);</p> <ul style="list-style-type: none"> <li>• Agreement between the Government of Kazakhstan, the Government of the Kyrgyz Republic, the Government of Tajikistan and the Government of Uzbekistan on cooperation in the field of quarantine plants as of June 8, 2000 (Decree of the Government of Tajikistan as of 9 November 2000 No.449);</li> <li>• Decree of the Government of Tajikistan №225 "About the draft Agreement between the Government of Tajikistan and the Government of Azerbaijan on cooperation in the field of quarantine of plants" as of 13 March 2014;</li> <li>• Decree of the Government of Tajikistan №74 " About MOU between the MoA and the Main State Administration for Technical and Quarantine Quality Control of China on Cooperation in the field of Inspection and Quarantine of plants" as of 2 March 2013;</li> <li>• Decree of the Government of Tajikistan №421 "About draft Agreement between the Food Security Committee under the Government of Tajikistan and the State Plant Quarantine Inspection under the Cabinet of Ministers of Uzbekistan on cooperation in the field of quarantine plants" as of 15 August 2018.</li> </ul>	
<p><b>3.3. The Concept of Regulatory Impact Assessments (RIA) was adopted by Government Decree № 673 as of 18 November 2015.</b></p> <ul style="list-style-type: none"> <li>• The legislative basis was introduced in subsequent years, <ul style="list-style-type: none"> <li>○ Government Degree on Instructions for the Regulatory Impact assessment in the Republic of Tajikistan № 355 as of 31 July 2018;</li> <li>○ Government Decree on the procedure for the maintenance of the Information Legal Internet Portal of the Republic of Tajikistan for</li> </ul> </li> </ul>	

Institutional and legislative set up governing trade in goods	Comments
<p>publishing the findings of RIAs № 617 as of 29 December 2018;  <i>Note: The two decrees are yet to be implemented</i></p>	
<p><b>3.4.</b> National registry of standards comprises 22,000 standards, 60% of which are harmonized with international and regional CIS standards.</p>	
<p><b>3.5.</b> Market surveillance falls under the responsibility of "Tajikstandard", which carries out its activities in collaboration with other state agencies in according to the Law on inspection". The law sets out risk assessment criteria.</p>	<ul style="list-style-type: none"> <li>• More needs to be done to further develop Market surveillance.</li> <li>• Tajikistan has a comprehensive system of mandatory standards but in practice cannot properly administer the complex and demanding standards system. <ul style="list-style-type: none"> <li>○ The absence of well-equipped laboratories, qualified staff, and effective enforcement capacity are serious problems.</li> <li>○ In principle, Tajikistan accepts the conformity certificates issued by its major trading partners. <ul style="list-style-type: none"> <li>▪ Government Order on the approval of the Procedure for recognition of documents on assessment of conformity of products received outside the Republic of Tajikistan № 03-p as of 37 August 2014; however, some importers say this is not the case.</li> </ul> </li> </ul> </li> </ul>
<p><b>4.1.</b> The principle of risk-based border control is established by law (customs code).  The Customs Unified Automated Information System (UAIS) user interface has been designed in accordance with EN ISO 13407:1999; and EN ISO 9241-210:2010 Standards. The system features a risk-based assessment and selectivity module. As of June 2020, Customs was in the process of further developing this module within the context of a technical assistance project.</p>	
<p><b>4.2.</b> The UAIS allows for pre-arrival processing of imports.</p>	
<p><b>4.3.</b> Post clearance audit will be further improved with the development of the</p>	

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
risk based assessment and selectivity module.	
<p><b>4.4.</b> The customs code stipulates the establishment of an AEO program in line with international best practices. Customs will be developing the required rules, procedures, institutional capacity and MIS for implementing an AEO program.</p>	<p>The Customs Code provides for appealing customs decisions. The next step is to simplify procedures for appealing decisions on customs valuation and allow for appealing decisions on product testing.</p>
<p><b>4.5.</b> Tajik Customs does not have a system for expediting the release of goods delivered by air.</p>	
<p><b>4.6.</b> Release of imports prior to the final determination and payment of customs duties, taxes, fees, and charges will be launched as part of the AEO program is established.</p>	
<p><b>4.7.</b> Border Control agencies (border guards, customs, phytosanitary, sanitary/health, transport inspection) carry out control functions in designated joint facilities (Government Decree No. 436 on the coordination of bodies control at the road BCPs, which advances the concept of "one stop shop" of 3 July 2014).</p> <p>BCPs are equipped with:</p> <ul style="list-style-type: none"> <li>▪ Parking stations for cargo trucks;</li> <li>▪ Single cashiers for facilitating payments of taxes and customs clearance fees and charges;</li> <li>▪ Vehicle weighing equipment.</li> </ul> <p>Technical and Quarantine Quality Control of China on Cooperation in the field of Inspection and Quarantine of plants.</p>	<p>Border crossing points (BCPs) lack basic infrastructure for clearing goods, including:</p> <ul style="list-style-type: none"> <li>• Refrigeration points for perishable cargo;</li> <li>• Proper traffic management systems for proper segregation, into lanes, of trucks, buses and cars with a fast track lane for trucks carrying transit cargo, perishable goods and AEO goods;</li> <li>• Non-intrusive inspection equipment.</li> </ul>
<p><b>5.1. Regional cooperation:</b></p> <ul style="list-style-type: none"> <li>• CIS Protocol About cooperation and mutual assistance in customs affairs (as amended , June 1, 2018). The agreement provides the basis for facilitating trade within the sub-region (denoting, among others, that the Customs Authorities of CIS countries are to share, upon request, information on export or imports activities</li> </ul>	<p>Agreement between the Federal Customs Service of the Russian Federation and the Customs Service on the organization of the simplified customs corridor (17.04.2019) is yet to be implemented.</p> <p>SPECA countries do not have a common system for rapid exchange of information.</p>

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<p>within CIS sub-region; mutual recognition of trade documents issued by relevant authorities; and information sharing on new legislation)</p> <ul style="list-style-type: none"> <li>• Protocol between the Customs Service under the Government of Tajikistan and the State Customs Committee of Uzbekistan on the organization of the exchange of preliminary information on goods and vehicles moving across the customs border (Government Decree No. 573 of 14.11.2019);</li> <li>• Tajikistan is a signatory to the CIS countries Agreement on the exchange of information on customs valuation (Government Decree as of December 15, 2018, No. 584)</li> <li>• Agreement between the Federal Customs Service of the Russian Federation and the Customs Service on the organization of the simplified customs corridor (17.04.2019);</li> <li>• Cooperation agreement between the Customs Service under the Government of the Republic of Tajikistan and the Federal Customs Service of the Russian Federation for combating money laundering, criminal activities and terrorism in cross-border (October 1, 2015)</li> <li>• Government Decree No. 204 of March 31, 2020 on approval of the draft Protocol between the Food Safety Committee under the Government of Tajikistan and the Federal Service for Veterinary and Phytosanitary Surveillance (Russian Federation) on compliance of imported high-risk phytosanitary products to Russia from the Tajikistan with phytosanitary requirements of Russia;</li> <li>• Technical protocol between the Tajik Customs and the Customs Department of Afghanistan on electronic exchange of customs data, signed on April 30, 2015 in accordance with the Agreement between the Government of Tajikistan and the</li> </ul>	

<b>Institutional and legislative set up governing trade in goods</b>	<b>Comments</b>
<p>Government of Afghanistan on cooperation and mutual assistance in customs affairs (March 26, 2014);</p> <ul style="list-style-type: none"> <li>• Government Decree No. 590 of December 25, 2018, "On approval of the Agreement between the Government of Tajikistan and the Government of China on cooperation and mutual assistance in customs matters". Similar cooperation agreements on customs matters were signed with, among others, India (August 2018), UAE (April 2018), Turkey (July 1999) and Azerbaijan (March 2007).</li> <li>• Tajikistan is also a signatory/party to several UNECE transport conventions and protocols (Annex 3). In 2019, Tajikistan also acceded to the electronic Convention on the Contract for the International Carriage of Goods by Road. Tajikistan began preparing for the Transports Internationaux Routiers (International Road Transports) or TIR Electronic Pre-Declaration, including its integration into Tajikistan's national single window system.</li> <li>• Tajikistan began preparing for the Transports Internationaux Routiers (International Road Transports) or TIR Electronic Pre-Declaration, including its integration into Tajikistan's national single window system.</li> <li>• Tajikistan is also a signatory/party to a number of UNECE transport conventions and protocols</li> <li>• See separate Annex.</li> </ul>	
<p><b>5.2. Tajik customs shares information with its counterparts in the Russian Federation, Uzbekistan and Afghanistan.</b></p>	
<p><b>5.3. Tajikistan does not have joint inspection facilities with neighbouring countries.</b></p>	

## Turkmenistan

Institutional and legislative set up governing trade in goods	Comments
1.1. Turkmenistan was granted the observer status in the WTO as of July 2020.	
1.2. Information not available.	
1.3. Up to date information on trade-related laws are published on: • CIS <a href="#">legal database</a> . <i>Note: full access is fee-based.</i> • Turkmenistan's Ministry of Justice official <a href="#">website</a> .	
1.4. Information not available.	
1.5. Information not available.	
1.6. Information not available.	
1.7. Information not available.	
1.8. Information not available.	
1.9. Information not available.	
1.10. Information not available.	
2.1. Preparations are underway for joining the WCO RKC.	
2.2. The State Customs Service of Turkmenistan processes customs declarations using <a href="#">ASYCUDA World</a> . <i>Note: the system, which allows for online submission, processing and issuance of customs declaration, is implemented at all customs offices and forms the basis for establishing a SW facility following UN/CEFACT recommendation.</i>	The Customs Authority of Turkmenistan is preparing for acceding to the WCO RKC.
2.3. Information not available.	
2.4. Information not available.	
3.1. Turkmenistan is a member of the: • Inter State Council for Standardization, Metrology and Certification CIS (EASC); • International Standards Organization (ISO); • Interregional Standardization Association (IRSA-BASB).	
3.2. Regional cooperation mechanisms • EASC Agreement on principles of certification and mutual recognition of certification as of 4 June 1992; • EASC Agreement on mutual recognition of State test results and type approval,	Mutual recognition of conformity assessment tests and certificates within CIS remains work in progress.

Institutional and legislative set up governing trade in goods	Comments
metrological certification and calibration of measurements means as well as accreditation results of laboratories which carry out tests and calibration of measurements means as of October 1992.	
<b>3.3.</b> Technical regulations are developed following an environmental impact assessment as established by the Law about Environmental Assessment.	
<b>3.4.</b> The Turkmenstandard <a href="#">database</a> comprises of: <ul style="list-style-type: none"> <li>• 79 State Standards (TDS);</li> <li>• 3 ISO Standards (TDS-ISO);</li> <li>• 34 Interstate Standards (TDS-);</li> <li>• 4 Standards of other countries (TDS-).</li> </ul>	
<b>3.5.</b> Information not available.	
<b>4.1.</b> Customs clearance is risk based. <ul style="list-style-type: none"> <li>• ASYCUDA World features a risk-based assessment and selectivity module.</li> </ul>	The majority of BCPs lack, among others, parking space, lanes for expediting clearance of perishable goods ( <a href="#">ADB, 2019</a> )
<b>4.2.</b> ASYCUDA provides for advance lodging of documents (in electronic format) for pre-arrival processing of imports.	
<b>4.3.</b> Preparations are underway for introducing PCA at BCPs	
<b>4.4.</b> BCPs are equipped with modern equipment such as X-ray Scanners for passengers and weight equipment for trucks.	
<b>4.5.</b> Information not available.	
<b>4.6.</b> Information not available.	
<b>4.7.</b> Information not available.	
<b>5.1.</b> CIS Protocol About cooperation and mutual assistance in customs affairs amended as of 1 June 2018. <ul style="list-style-type: none"> <li>• Turkmenistan is a signatory/party to several UNECE transport conventions and protocols (Annex 3)</li> </ul>	
<b>5.2.</b> Information not available.	
<b>5.3.</b> Information not available.	

## Uzbekistan

Institutional and legislative set up governing trade in goods	Comments
<p><b>1.1.</b> Signatory to the below international agreements, which carry immediate contribution to improving transparency in trade.</p> <ul style="list-style-type: none"> <li>• Agreement on open entry and procedure for exchange of open scientific and technical information of the State Parties of the CIS of 11 September 1998.</li> </ul>	<p>Information is not published on UNCTAD TRAINS and access to the CIS <a href="#">legal database</a> is fee-based.</p>
<p><b>1.2.</b> Relevant laws, decrees, and decisions:</p> <ul style="list-style-type: none"> <li>• Law № 3PY-369 on the openness of state authority activities as of 5 May 2014;</li> <li>• Resolution of Cabinet of Ministers of Uzbekistan № 232 about the Open Data Portal of Uzbekistan as of 7 August 2015; <ul style="list-style-type: none"> <li>○ An information resource that operates within the framework of the e-Government portal of Uzbekistan and is intended for posting open data of state bodies and local authorities;</li> </ul> </li> <li>• Legal status of the Government e-portal of Uzbekistan № 188 approved by the resolution of the Cabinet of Ministers as of 3 June 2016;</li> <li>• Government Decree of the President of Uzbekistan № ПП-2750 on additional measures to improve mechanisms for provision state services for entrepreneurs (single interactive portal) as of 1 February 2017;</li> <li>• Government Decree of Cabinet of Ministers of Uzbekistan № 728 on Regulation about the Single portal of interactive state services of Uzbekistan as of 15 September 2017;</li> <li>• Law №3PY-474 on public control, which include provisions on public-private consultation, as of 12 April 2018;</li> <li>• Resolution of the President of Uzbekistan № ПП-3852 on measures for further improvement of the rating of Uzbekistan in "Doing business" as of 13 July 2018; <ul style="list-style-type: none"> <li>○ Roadmap includes measures on international trade.</li> </ul> </li> </ul>	

<ul style="list-style-type: none"> <li>• Decree of Cabinet of Ministers of Uzbekistan № 284 on organizational measures for the implementation of a unified electronic system of development and endorsement of drafts of legal acts as of 8 April 2019.</li> </ul>	
<p><b>1.3.</b> Up to date information on trade-related laws are published on:</p> <ul style="list-style-type: none"> <li>• CIS <a href="#">legal database</a>.</li> </ul> <p><i>Note: full access is fee-based.</i></p>	
<p><b>1.4.</b> Draft laws are published online for prior consultation on:</p> <ul style="list-style-type: none"> <li>• Portal of the Republic of Uzbekistan’s for Discussion of Draft Document’s <a href="#">Website</a>.</li> <li>• Republic of Uzbekistan State Customs Committee’s official <a href="#">website</a>.</li> </ul>	
<p><b>1.5.</b> Information on applicable trade rules and procedures is available on:</p> <ul style="list-style-type: none"> <li>• Ministry of Investment and Foreign Trade of the Republic of Uzbekistan’s official <a href="#">website</a>.</li> <li>• National <a href="#">Database</a> of Legislation of the Republic of Uzbekistan.</li> </ul>	<p>Reference pricing lists for imported goods used for customs valuation are not published as per WCO guide on customs valuation and transfer pricing (available <a href="#">here</a>).</p>
<p><b>1.6.</b> Not applicable: Uzbekistan is not a WTO member.</p>	
<p><b>1.7.</b> Help desks/hotlines for addressing questions raised by traders is available on:</p> <ul style="list-style-type: none"> <li>• The Government of the Republic of Uzbekistan helpline <a href="#">portal</a>.</li> </ul>	<p>The Government does not have an electronic notification system (SMS/email) for alerting traders on changes in applicable trade-related rules and administrative procedures.</p>
<p><b>1.8.</b> Information not available.</p>	
<p><b>1.9.</b> Public-private consultations are carried out within the context Public Chamber under the President of the Republic of Uzbekistan and the public chambers of State agencies.</p>	
<p><b>1.10.</b> Standard-setting activities are undertaken by technical committees which bring together representatives from the public and private sector organizations.</p> <p><i>Note: as of June 2020, these comprised 31 technical committees on standardization as noted in the Agency "UZSTANDART" Uzbek Agency for Standardization, Metrology and Certification’s official <a href="#">website</a>.</i></p>	

<p><b>2.1.</b> Presidential Decree № YII-5409 on trade documents being revised to reduce and streamline information requirements as of 11 April 2008.</p>	
<p><b>2.2.</b> Presidential Decree № PP-4297 on the development of a Single Window (SW) Facility is being developed following UN/CEFACT Recommendation 33 and WCO as of 23 April 2019; <i>Note: set deadline for launching system is 1 January 2021.</i></p>	
<p><b>2.3.</b> Information not available.</p>	
<p><b>2.4.</b> Information not available.</p>	
<p><b>3.1.</b> Uzbekistan is a member of:</p> <ul style="list-style-type: none"> <li>• Corresponding Member of OIML.</li> <li>• Euro-Asian Cooperation of National Metrological Institutions;</li> <li>• Euro-Asian Interstate Council for standardization, Metrology and Certification (EASC);</li> <li>• ILAC (COOMET);</li> <li>• International Standards Organization (ISO);</li> <li>• Interregional Standardization Association (IRSA-BASB).</li> </ul>	
<p><b>3.2.</b> Uzbekistan is a signatory to:</p> <ul style="list-style-type: none"> <li>• EASC Agreement on principles of certification and mutual recognition of certification of 4 June 1992;</li> <li>• EASC Agreement on mutual recognition of State test results and type approval, metrological certification and calibration of measurements means as well as accreditation results of laboratories which carry out tests and calibration of measurements means as of October 1992;</li> <li>• The CIS Agreement about cooperation in the field of quarantine of plants as of 28 October 2016. <ul style="list-style-type: none"> <li>○ Put in place because of Government Decree № 18 as of 15 January 2016.</li> </ul> </li> <li>• CIPM MRA as of 12 November 2018;</li> <li>• The country has also established unilateral acceptance of conformity assessment results and certificates by third parties;</li> </ul>	<p>Mutual recognition of conformity assessment tests and certificates within CIS remains a work in progress.</p>

<ul style="list-style-type: none"> <li>○ Put in place because of Cabinet of Ministers decision № 292 as of 14 November 2015;</li> <li>• Uzbekistan has also established an agreement on mutual recognition of metrological assessment results with Turkey.</li> </ul>	
<p><b>3.3.</b> Government Decree № 281 on the concept of regulatory impact assessment is recognized as forming the basis of technical regulations development as of 26 December 2008.</p>	
<p><b>3.4.</b> As of 1 January 2018, international standards constituted 15.4 % of the national registry of standards, per Analytical Data <a href="#">subpage</a> of the Agency "UZSTANDART"'s official page.</p> <ul style="list-style-type: none"> <li>• The Government of Uzbekistan plans to increase the share of international standards to 75% by 2028. <ul style="list-style-type: none"> <li>○ As stated in the Agency "UZSTANDART"'s <a href="#">Catalogue for Print</a>.</li> </ul> </li> </ul> <p>Roadmap for harmonization is approved by the Decree of the President of Uzbekistan № 3643 On measures to further improve the accreditation system of conformity assessment bodies as of 30 March 2018.</p>	
<p><b>3.5.</b> Market surveillance is an evolving function.</p> <p>Uzstandard has Department for Enforcement of Legislation in the Field of Technical Regulation, Standardization, Certification and Metrology that was established by Government Decree №348 as of 24 April 2019.</p>	
<p><b>4.1.</b> Presidential Decree № UP-5414 on the principle of risk-based border control established by law customs code and Uzbek Customs with a dedicated risk management department as of 12 April 2018.</p> <p><i>Note: Work is underway for developing a ris- based assessment and selectivity module and the introduction of green and blue channels (the yellow and red channels were introduced in 2018).</i></p>	

<ul style="list-style-type: none"> <li>• Pursuant to the Presidential Decree № ПП-4297 the Ministry of Health, the State Committee for Veterinary, the State Committee for Ecology and Environmental Protection, the Quarantine Inspectorate and the Uzstandard are developing the risk assessment criteria for selective phytosanitary, sanitary-epidemiological, veterinary and environmental control as of 23 April 2019.</li> <li>• Uzbekistan is implementing reforms to modernize customs administration, which feature a special emphasis on improving cooperation with trade partners; <ul style="list-style-type: none"> <li>○ Government Decree №ПП-4160 as of 5 February 2019;</li> <li>○ Government Decree №ПП-4297 as of 23 April 2019;</li> </ul> </li> </ul> <p>Order of President №УП-5414 as of 12 April 2018.</p>	
<p><b>4.2.</b> Pre-arrival processing of imports will be introduced as part of the risk-based assessment and selectivity module.</p>	<ul style="list-style-type: none"> <li>• Presidential Decree №. PP-3624 (24 March 2018) and Cabinet of Ministers Decision № 427 (June 2018) dismantled pre-shipment inspections.</li> </ul>
<p><b>4.3.</b> Post clearance audit will be introduced as part of the improved risk-based assessment and selectivity module.</p>	<p>Reference pricing lists for imported goods are not published as per the WCO <a href="#">guide</a> on customs valuation and transfer pricing. Uzbekistan does not have a system for expediting the release of goods delivered by air.</p>
<p><b>4.4.</b> AEO program was introduced as of 1 February 2019.</p>	
<p><b>4.5.</b> Uzbekistan does not have a system for expediting the release of goods delivered by air.</p>	
<p><b>4.6.</b> The legal basis for the release of imports prior to the final determination and payment of customs duties, taxes, fees and charges is established under the Customs code.</p>	

*Note: this procedure will be launched once the SW is established.*

**4.7. Information not available.**

**5.1.** CIS Protocol about cooperation and mutual assistance in customs affairs amended as of 1 June 2018.

• Bilateral Agreements in the area of cooperation on mutual assistance in customs matters:

- Agreement between the Government of Uzbekistan and the Government of Georgia of 28 May 1996;
- Agreement between the Government of Uzbekistan and the Government of Azerbaijan as of 27 May 1996;
  - Decree of the Cabinet of Ministers of Uzbekistan № 232 as of 3 July 1996;
    - Entered into force on 2 November 1996;
- Agreement between the Government of Uzbekistan and the Government of Kazakhstan as of 31 October 1998;
  - Approved by the Resolution of the Cabinet of Ministers of Uzbekistan № 547 as of 18 November 2004 and entered into force on 8 December 2004;
- Agreement between the Government of Uzbekistan and the Government of Kyrgyzstan as of 27 September 2000.
  - Resolution №402 as of October 2000;
    - Entered into force on 1 March 2005;
- Agreement between the Government of Uzbekistan and the Government of Turkmenistan as of 8 October 2015;
  - Entered into force for the Republic of Uzbekistan on 7 October 2016;
- Bilateral Agreements in the areas of quarantine and plant protection:
  - Agreement between the Government of Uzbekistan and the Government of Moldova as of 19 December 2000;
  - Agreement between the Government of Uzbekistan and the Government of Azerbaijan as of 13 June 2003;
  - Agreement № ПП-1921 between the Government of Uzbekistan and the

SPECA countries do not have a common system for rapid exchange of information and Uzbekistan is not a member of a regional systems for rapid exchange of information.

<p>Government of Vietnam as of 11 January 2012;</p> <ul style="list-style-type: none"> <li>○ Agreement № ПП-1921 between the Government of Uzbekistan and the Government of China as of 18 February 2013;</li> <li>○ Agreement between the Government of Uzbekistan and the Government of Kyrgyzstan as of 1 August 2019;</li> </ul> <p>• Bilateral Agreements in the areas of transit and transport:</p> <ul style="list-style-type: none"> <li>○ Agreement between the Government of Uzbekistan and the Government of Afghanistan on cooperation in transit and transport as of 29 August 2004; <ul style="list-style-type: none"> <li>▪ Decree of the Government of Uzbekistan № 456 as of 30 September 2004; <ul style="list-style-type: none"> <li>• Entered into force as of 24 February 2005;</li> </ul> </li> </ul> </li> <li>• Uzbekistan is a signatory to several of UNECE transport conventions and protocols (see separate Annex);</li> <li>• Uzbekistan is also a signatory/party to a number of UNECE transport conventions and protocols <ul style="list-style-type: none"> <li>○ See separate Annex.</li> </ul> </li> </ul>	
<p><b>5.2. The Uzbek customs shares information with its counterparts in the Russian Federation and the Republic of Tajikistan within the context of the agreement on green corridors.</b></p> <p><i>Note: Green corridor agreements have allowed the country to better exchange information with respective partners, however, this information is not exchanged in a uniform/coherent manner and the country lacks the electronic systems and BCP infrastructure to exchange the relevant information consistently.</i></p>	
<p><b>5.3. Uzbekistan does not have joint inspection facilities with neighboring countries.</b></p>	



