

However, like any area of state activity, customs activity was not always free from corruption and abuse. In the past customs officers used their positions to obtain bribes and other personal gains. Some states used customs as a tool to crush opposition and restrict the freedom of movement of people and goods.

Customs today face new challenges and threats such as cybercrime and terrorism which can use international trade as a conduit to move illegal goods and finance their activities. Customs administrations must adapt to these changing conditions and use the latest technology to ensure security and efficiency.

In conclusion, the history of customs shows that it remains a key tool for regulating international trade and collecting revenues for states. However, customs administrations face new challenges and threats which require constant adaptation and improvement. At the same time, due to the regular growth of illegal movements of goods across the border, countermeasures to combat such movements as well as methods to protect economic interests with the help of tariff and non-tariff and other measures have not lost their relevance. The lessons from the past can help us meet the challenges of the present and prepare for the difficulties in the future.

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THEORY AND PRACTICE OF INTERACTION BETWEEN BORDER AND CUSTOMS AUTHORITIES

Research Field:

Interaction of border and customs authorities

Customs authorities and border service bodies are State administration bodies charged with ensuring national security at the State border and in the border area. First of all, economic and border security directly depends on their proper joint activities to fulfill the tasks and responsibilities assigned by the state.

Border service bodies – state bodies and organizations involved in the implementation of the state border policy, ensuring border security of the Republic of Belarus and performing law enforcement functions, are an integral part of the national security system of the Republic of Belarus.

The customs authorities of the Republic of Belarus are state bodies representing a single centralized system and regulating legal relations arising, changing and terminating in the field of

customs affairs, and ensuring the economic security of the Republic of Belarus; the customs service is one of the state structures involved in the protection of the borders of the state and the EAEU at checkpoints, and is entitled to carry out certain types of state control of the movement of goods, persons and vehicles.

The main tasks of the border service bodies are:

- participation in the implementation of the state border policy;
- ensuring border security;
- protection of the State Border of the Republic of Belarus;
- organization of interaction and coordination of activities of state bodies and other organizations in the field of state border policy and border security;
- prevention, detection and suppression of crimes and administrative offenses that pose a threat to border security in accordance with legislative acts;
- implementation of the passage through the State Border of citizens of the Republic of Belarus, foreign citizens and stateless persons, with the exception of checkpoints at which such a pass is carried out by customs authorities, as well as goods at simplified checkpoints across the State Border¹.

The main tasks of the customs authorities are:

- implementation of the state customs policy, implementation of direct management of customs affairs and coordination of activities of other state bodies and other organizations in this area;
- ensuring the economic security of Belarus within its competence, protecting its economic interests;
- ensuring uniform application of international treaties and acts regulating customs legal relations that constitute the law of the Eurasian Economic Union and the legislation of Belarus on customs regulation by customs authorities on the territory of the Republic;
- development and application of methods and means to ensure compliance with international treaties and acts regulating customs relations that constitute the law of the EAEU and the legislation of Belarus on customs regulation;
- creation of conditions conducive to the acceleration of trade turnover when importing goods to Belarus and exporting goods from Belarus through the customs border of the EAEU in Belarus;

¹ The Law of the Republic of Belarus "On the Border Service Bodies of the Republic of Belarus" dated November 11, 2008 No. 454-Z // National Legal Internet Portal of the Republic of Belarus [Electronic resource]. – 2023. – Access mode: <https://pravo.by>. – Access date: 14.04.2023.

- organization of the fight against smuggling and other crimes, the investigation of which is attributed to the competence of customs authorities, administrative offenses, the conduct of administrative proceedings for which is attributed to the competence of customs authorities;
- ensuring the fulfillment of Belarus' international obligations in terms of customs affairs¹.

Based on the main tasks of the bodies of both services described above, it is worth noting the common ones that are characteristic of these state bodies. Thus, both ensure the implementation of state policy, albeit in different spheres, i.e. border and customs policy; ensure certain types of security within their competence: border service agencies – border security; customs authorities – economic security; organize the fight against crimes and offenses; ensure compliance with both national and supranational legislation; check objects and (or) entities crossing the State Border of the Republic of Belarus: border service agencies check individuals; customs authorities check cargo, goods and vehicles, and in some cases persons, for example, truck drivers, since this function is assigned to customs authorities at some checkpoints.

Since there are similar and even overlapping tasks in the work of the two types of public service, it is obvious that they interact on certain issues, for example, they exchange information about the situation on the border territory, about changes in the legislation of neighboring states on the activities of border services, about the rules for passing individuals, goods and vehicles through the State and customs border, on the identification and suppression of facts of illegal activities related to illegal border crossing. Both bodies participate in measures to improve the regulatory framework, the procedure for crossing the border, the implementation of border and customs control at checkpoints; plan, organize and conduct joint activities to identify and suppress illegal activities related to illegal border crossing; implement joint measures to maintain the regime of the State Border, the regime at checkpoints and in the customs control zones; cooperate in the fight against smuggling, international terrorism, organized crime, illegal migration; prepare and carry out joint actions to localize and prevent conflict situations at checkpoints; implement measures to create and improve infrastructure at checkpoints (development of coordinated approaches to the construction, reconstruction and technical equipment of checkpoints passes); provide mutual assistance in conducting research and development, training personnel; implement control over the implementation of joint decisions.

¹ The State Customs Committee of the Republic of Belarus [Electronic resource] : [ofic. website] / The State Customs Committee. – Minsk, 2023. – Access mode: <https://www.gtk.gov.by>. – Access date: 14.04.2023.

In addition to the above-mentioned facts of interaction between the border service and customs authorities, cooperation is also carried out at the highest level, which is manifested in the joint development of technological schemes for the passage of persons, goods and vehicles across the State Border of the Republic of Belarus, improving the forms and methods of customs and border control between the State Customs Committee and the State Border Committee. Also, interaction is carried out between the structural divisions of the two public service bodies¹.

In order to improve cooperation between the border service and customs authorities, it is appropriate to propose ways to develop this area:

1. Strengthening interdepartmental coordination and communication functions – the creation of special standing committees and/or working groups that will regularly hold joint meetings and operations, and common communication systems will allow timely exchange of information, coordinate actions, and ensure timely informing partners of any changes in policy, procedures or legislation. The establishment of transparent, i.e. least classified procedures can improve trust between authorities, as well as reduce the likelihood of corruption.

2. Cooperation with other countries. The intensification of partnership relations with foreign countries with which the Republic of Belarus has large volumes of trade, including on a contractual basis, will allow the exchange of information and coordination of actions, improve cooperation at the border and reduce the number of violations related to the movement of goods and passengers.

3. Development of human resources. Employees of border and customs authorities should regularly undergo training and advanced training in order to be aware of the latest changes in legislation and new methods of combating illegal activities; the acquisition of new skills, the study of foreign languages will increase the personnel potential. Joint training programs will help to improve mutual understanding and teamwork in identifying and solving problems at work.

4. A coordinated approach to improving working conditions, protecting the health of customs and border guards, ensuring decent pay and working conditions can improve their productivity and well-being, keep them motivated and prevent the leakage of qualified personnel, as well as reduce the risk of occupational diseases; improving the quality of infrastructure at the border, including roads, bridges, tunnels, railway stations etc., directly

¹ Resolution of the State Border Committee and the State Customs Committee of the Republic of Belarus "On approval of the Instruction on the procedure for interaction of the Border Service of the Republic of Belarus and the Customs authorities of the Republic of Belarus" dated 17.04.2009 No. 23/28 // National Legal Internet Portal of the Republic of Belarus [Electronic resource]. – 2023. – Access mode: <https://belzakon.net>. – Access date: 14.04.2023.

affects the throughput, reducing the waiting time of vehicles and reducing the likelihood of unforeseen and conflict situations.

Thus, the interaction of the customs and border authorities of the Republic of Belarus is an important element of ensuring security at the border and the effectiveness of customs procedures. The introduction of new technologies, the development of international relations and the improvement of human resources can positively affect the effectiveness of cooperation between bodies. It is important to pay attention to the fact that the interaction of customs and border authorities should be organized at a high level and based on mutual trust and understanding. It is also necessary to take into account the rights and interests of citizens, comply with international standards and laws, and take measures to protect information and personal data. This is the only way to ensure the efficient and safe work of customs and border authorities, which will contribute to the development of the economy and society as a whole.

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DIRECTIONS FOR IMPROVING CUSTOMS OPERATIONS WITH REGARD TO GOODS CONTAINING OBJECTS OF INTELLECTUAL PROPERTY IN THE EAEU

Research Field:

Intellectual property as an object of international trade

One of the main elements of intellectual property cooperation within the Eurasian Economic Union is customs protection. Among the areas of cooperation between EEU Member States is ensuring effective customs protection of intellectual property rights, including maintenance of a unified customs register of intellectual property objects of the Member States. The development of the customs control system in the context of Eurasian integration is aimed at ensuring an optimal balance between the interests of the state, citizens, businesses and the integration entity itself¹. The issues of customs protection of exclusive rights and counteraction to counterfeiting become topical in the conditions of digital transformations, one of the perspective directions of which may be the formation of a single digital market of intellectual rights.

¹ Agamagomedova S.A. Customs control in the conditions of Eurasian economic integration: concept, signs, development trends // State and law. 2018. № 4. P. 64-72