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PROBLEMS OF USING TECHNICAL MEANS OF CUSTOMS CONTROL IN UZBEKISTAN AND WAYS TO SOLVE THEM

ANNOTATION

This article is devoted to issues related to the current state of technical means of customs control and their operation, as well as the activities of the customs authorities of Uzbekistan to strengthen the use of technical means of customs control. In particular, the article indicated the practical problems of using technical means of customs control at customs posts and the author suggests ways to solve these problems.

Keywords: technical means of customs control, customs control, X-ray machines, stationary X-ray control system, mobile X-ray control system, introscope.

АННОТАЦИЯ

Данная статья посвящена вопросам, связанным с современным состоянием технических средств таможенного контроля и их эксплуатацией, а также деятельности таможенных органов Узбекистана по усилению использования технических средств таможенного контроля. В частности, в статье указаны практические проблемы использования технических средств таможенного контроля на таможенных постах и автором предложены пути решения этих проблем.

Ключевые слова: таможенный контроль, технические средства таможенного контроля, рентген аппараты, стационарная система рентгеновского контроля, мобильная система рентгеновского контроля, интроскоп.

ANNOTATSIYA

Ushbu maqola bojxona nazoratining texnik vositalarining hozirgi holati va ulardan foydalanish bilan bog'liq masalalarga, shuningdek, O'zbekiston bojxona organlarining bojxona nazoratining texnik vositalaridan foydalanishni kuchaytirish borasidagi faoliyatiga bag'ishlangan. Xususan, maqolada bojxona postlarida bojxona nazoratining texnik vositalarini qo'llashdagi amaliy muammolari ko'rsatilgan va muallif tomonidan ushbu muammolarni hal qilish yo'llarini taklif qilgan.

Kalit so'zlar: bojxona nazorati, bojxona nazoratining texnik vositalari, rentgen apparatlari, statsionar rentgen nazorati tizimi, mobil rentgen nazorati tizimi, introskop.

Intensive development of foreign economic relations, a significant increase in the number of their participants, including commercial structures, changes in customs policy in the conditions of the formation of a market economy, expansion of export and import opportunities for a wider range of goods - require customs services to ensure high-performance, effective customs control of goods, vehicles, belongings of people traveling across the state border. One of the defining integral elements in the daily inspection work of customs authority is their use of technical means of customs control, without which it is currently impossible to ensure the timeliness, quality, and culture of customs control.

Technical means of customs control – is a complex of special technical means used by customs services directly in the process of operational customs control of all types of objects moved across the state border to identify among them items, materials, and substances prohibited for import and export, or not corresponding to the declared content.

Afonin P. N. gives the following definition. technical means of customs control - this is an operational process of customs control of all types carried out by special integrated customs services with the help of technical means directly used to determine the state border of objects whose import and export are prohibited or do not relate to materials and substances of published content [2].

Dugin G. A. technical means of customs control -operational customs control of objects of all types, carried out by a complex of special equipment used by customs authorities in the process of customs border crossing, in order to verify documents declaring them, determine the compliance of controlled objects with the information provided to them, as well as identify objects at these objects that have committed customs offenses [3].

According to V.I. Kabanov, technical means of customs control can be defined as "a set of special technical means used by customs services directly in the process of operational customs control of all types of objects moved across the state border to identify among them items, materials, and substances prohibited for import and export, or not corresponding to the declared content" [4].

Of the greatest interest is the definition of technical means of customs control given by A.I. Kiseleva, technical means of customs control are generally understood as "special installations, apparatuses, detectors, analyzers, tools, devices and other technical means used by customs officials during customs control in order to ensure compliance with the legislation of Russia on customs and international treaties of Russia, the control over the execution of which is entrusted to the customs authorities" [5].

And finally, M.Y. Tereshchenko defines the important role of technical means of customs control "by means of suppressing attempts to violate customs legislation, as well as the development of a customs control strategy based on a system of risk assessment measures, and is a necessary condition for accelerating international trade"[6].

The use of technical means of customs control is aimed at visualizing the contents of large-sized objects and identifying the materials, objects, and substances located there with the materials, objects, and substances recorded in customs declarations and other shipping documents. However, for the successful practical implementation of such tasks, it is necessary to solve a number of rather complex organizational, operational, and technical problems.

Currently, at the customs posts of the regional customs divisions of the Customs Committee of the Republic of Uzbekistan, about 10,000 items of techniques are exploited, which include: inspection and screening complexes, human body scanners, X-ray machines, radio portal monitors, identification system of state vehicle numbers, currency detectors, and other equipment.

In addition to the high efficiency and positive facts associated with the use of technical means of customs control, it is worth noting several problems associated with their use, since the solution of the following issues generally improves the customs system and takes it to a new level.

Different technical means are used to implement the same function.

It is known that introsopes are used by customs authorities to check hand luggage and passenger bags. Today, 6 types of Rapiscan (Germany), (624xr, 627DV, 628DV, 524EXP, 632XR, 618XR), 9 types of Hi-scan developed by Smiths Detection (Germany) (5180i, 9075i, 5170A, 7085A, 85120, 6040, 100x100, 60x40, 3D), Adani (Belarus) (BV6080, BV100100), NUCTECH X-ray radiotelevision apparatus (China) cx100100d and X-ray machine, as well as Astrophysics XIS-Trailer 1210D (USA) are used at border customs posts of the Republic of Uzbekistan for scanning luggage and handbags of passengers, crossing the customs borders of the country. Images obtained from various types of X-ray machines make it difficult for border customs officers to interpret different images, which leads to misunderstanding and physical inspection of luggage.

X-ray images obtained with the help of radiotelevision equipment have individual image that does not look like others. Naturally, this ability of customs officers to perceive X-ray images is farcical, and inconsistencies in the images confuse employees, causing an artificial increase in the number of physical inspections for customs control, and also affecting the fight against smuggling.

For example, the Rapiscan Systems 624xr X-ray television equipment transforms organic and inorganic objects placed on top of each other into images in yellow and red colors, respectively. The equipment belonging to ADANI cannot distinguish this, sometimes showing them mixed as one green color, and the inspector inspecting this luggage can consider these items as plastic products.

The absence of leading specialists in the customs authorities in the field of application of technical means of customs control.

In the Customs Service of the Republic of Uzbekistan, mainly officials are economists and lawyers who perform their duties on a daily basis. However, in order to carry out high-quality customs inspection and customs inspection of goods and vehicles crossing the customs border, the NCD has another task, the ability to understand X-ray images.

When applying technical means of customs control, customs officials should know how to properly operate customs equipment, follow safety procedures, know the description of all X-ray images that are provided to confirm that this product is the product that is indicated in the shipping documents, and also have sufficient knowledge to ensure that there are no goods prohibited to import or export.

In addition, when it comes to conducting current and seasonal inspections of all techniques used for customs control, due to the lack of such specialists conducting such inspections, the Customs Committee of the Republic of Uzbekistan will have to hire these specialists from the private sectors, which means additional costs and the opportunity to carry out technical corrections in the shortest possible time is lost.

All the costs associated with the technical means of the customs authorities are expensive.

The main technical means used to carry out forms of customs control, for example, an inspection and inspection complex, is an indispensable technique and one of the expensive techniques for our republic and, accordingly, the purchase of such products, repairs in case of failure will cost the customs authority a lot. as you know, there are no such enterprises in Uzbekistan that produce such technical means of customs control and all imported equipment is the "know-how" of manufacturing companies. this is the Intellectual property of foreign companies, they have the rights to the software, scheme, and design of the specified technical means. In this regard, representatives of a foreign company should be involved in the repair and modernization of equipment, which significantly increases the corresponding costs.

Obsolescence of some technical means of customs control.

In April 2022, customs officers made an inventory of all 17 types of technical means of customs control located at 95 customs posts in 15 territorial divisions of the republic. It became known that out of 10,000 techniques: 40% of them had been used for more than 5 years, 16.5% of them had been used for more than 10 years, and 2.4% of them were unsuitable for use.

In particular, radiation portal monitors at the customs border post of "Dustlik" (Andijan region) were installed in 2005, at the customs border post of "Khujaili" (Republic of Karakalpakstan) in 2006, at the customs border post of "Karshi-Kerki" (Kashkadarya region), These portal monitors also at the customs border posts of "Navoi", "S. Nazhimov", "Oibek" (Tashkent region) were established in 2007. respectively. More than 80% of portable metal detectors «Garrett» using in customs authorities of Uzbekistan, were produced in 2005. In the Republic of Karakalpakstan, a new system of identification of state numbers "APA" at entry and exit still has not been installed at the border post "Khujaili". In Navoi region, scales for measuring vehicles (Mettler Toledo IND560), were installed in 2008, and in the Republic of Karakalpakstan (Mettler Toledo INC 310) in 2010.

Legal issues of using technical means of customs control.

Articles 188-189 of the Customs Code of the Republic of Uzbekistan contain the forms of customs control and the procedure for their application.

However, the norms established in these articles do not provide sufficient grounds for the use of technical means in relation to passengers crossing the customs control zone. Paragraph 10 of Article 189 of the Customs Code states that technical means of customs control can be applied to goods and vehicles during customs control, but in this paragraph, there are no grounds for applying technical means to departing and arriving passengers. This means that the use by customs officers of a contactless passenger inspection device (body scanner) to determine the presence of prohibited goods is an illegal act.

Also, the list of technical means used in the implementation of customs control, as well as the corresponding instruction on the procedure for their application, has not been developed. That is, the classification of the Republic of Uzbekistan by types of all technical means available at customs control, technical safety standards for their use, and the sequence of application were not given. This disadvantage is not observed in many developed countries.

The government should create favorable conditions by providing them with tax and other preferences for the opening of joint production of X-ray machines with developed companies. By implementing it, at first, we can solve the problem associated with a variety of customs equipment, and use only domestic techniques that will be easy for customs officers to understand and apply. Secondly. By doing so, we can purchase the same expensive equipment at an affordable price, reduce the costs associated with their repair of equipment and its subsequent modification, as well as increase the export potential of the country.

The Customs Committee of the Republic of Uzbekistan needs to hire specialists who can perform technical supervision of all technical means of customs control, and who can repair if necessary. And also, on the basis of the Faculty of Customs, to open a new direction of technical means of customs control and train technical specialists in the field of customs equipment. Today, cadets studying technical means of customs control are only able to use them, and they cannot perform technical tasks.

Based on the above-mentioned legal norms, it is advisable to create a legal resource on the use of technical means of customs control concerning passengers crossing the customs border and create a directive to introduce classification principles, and procedures for the use of technical means of customs control and registration in the appropriate manner in the customs control system. Ministry of Justice of the Republic of Uzbekistan.

In conclusion, using technical means of customs control increases the efficiency of customs control, reduces the time allotted for its implementation, and simplifies the work of customs officials. In the modern world, with the development of all mankind, standards are also changing, which in our case requires updating of technical means of customs control on time. Customs authorities of many developing countries are not ready to install new equipment immediately, but to carry out their assigned national, and fiscal functions, as well as to facilitate international trade, they need to keep up with the global tendency. The Customs Committee of the Republic of Uzbekistan should also resume technical means of customs control to improve the technical base and establish a clear procedure for operation and technical safety of application and recruit experienced specialists for timely repair of customs equipment in the event of such problems. The opening of a new direction “technical means of customs control” and training the staff, guarantees the recruitment of experienced employees who can apply technical means of customs control in a timely and correct manner.

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