UKRAINE – Humanitarian crisis
IMPORTATION and CUSTOMS PROCEDURES

Date of the document: 15 March 2022
2 scenarios

Scenario 1: Importation of humanitarian aid from countries that are part of the Common Transit Convention

Scenario 2: Importation of humanitarian aid from countries outside the EU and outside the Common Transit Convention
**Scenario 1**
Importation of humanitarian aid from countries that are part of the **Common Transit Convention** (page 1/2)

Contracting parties to the Common Transit Convention

- EU Member States
- EFTA countries: Iceland, Norway, Liechtenstein, Switzerland
- Turkey
- Republic of North Macedonia
- Serbia
- United Kingdom: *Using common or union transit to move goods into, through and out of the UK*
Scenario 1
Importation of humanitarian aid from countries that are part of the Common Transit Convention (page 2/2)

Exporters should:

a) lodge an export declaration and the European Transit Declaration (Form T1) at the Customs office of export (and departure for the transit form) mentioning the transit office (first point of entry in the EU) and the office of destination in Poland close to the Ukrainian border.

b) make sure that the carrier notifies its arrival at the office of transit when reaching EU (i.e., for goods arriving from UK, customs office at Calais, Dunkerque, Zeebruge).

c) make sure that the carrier and/or the customs broker notifies its arrival at the office of destination (final formalities and discharge of transit declaration)
Scenario 2
Movement of goods from countries outside EU and outside the common transit convention (1/1)

It is the ultimate responsibility of the carrier who brings the goods into the EU to ensure that the **Entry Summary Declaration** is lodged at the customs officer where the means of transport will first enter the EU.

The customs declaration should be lodged with the Form T1 at the customs entry point in EU (Union Transit Procedure).

In the customs declaration, the customs office at destination at the customs exit point of an EU Country at the Ukrainian border, should be mentioned.
CUSTOMS TRANSIT

Customs transit is a customs procedure used to move goods between two points of a customs territory, via another customs territory; or between two or more different customs territories.

Using the Customs Transit procedure allows for the temporary suspension of duties, taxes and commercial policy measures that are applicable at import. As such, it allows customs clearance formalities to take place at the point destination rather than at the point of entry into the customs territory.

Customs transit is particularly relevant where a single customs territory is combined with multiple fiscal territories: it allows the movement of goods under transit from their point of entry into the Union to their point of clearance, where both the customs and national fiscal obligations will then be taken care of.

The common transit procedure is used for the movement of goods between the EU Member States, the EFTA countries (Iceland, Norway, Liechtenstein and Switzerland), Turkey, the Republic of North Macedonia, Serbia and the United Kingdom.
Option 1
Transit / Temporary storage in a bonded warehouse

In a bonded warehouse, imported goods are stored under Customs control in a designated place (a Customs warehouse) without payment of import duties and taxes.

• You need to identify a clearing agent that will process the customs declaration
• Time limitation: usually 2-3 days
• You must identify a consignee in the country of destination
• You have to select a freight forwarder to move your goods from the bonded warehouse to the final destination (grouping or full truck)
Option 2
Transit / temporary storage in non-bonded warehouse in a neighbouring country to Ukraine

Importation of medicines and medical equipment stored in a non-bonded warehouse

• If the medicines and medical equipment are licensed to be used in EU, non-bonded warehouse can be used.

• If you use the transit regime to import medicines and medical equipment that are not licenced to be used in EU, there is no need for a prior authorization to enter Ukraine.
Expiry date of medicinal products provided as humanitarian aid is six months.

If you plan to transport to Ukraine under the transit procedure - food and medicines can be transported without additional requirements.

If you plan to provide narcotic drugs and psychotropic substances as part of humanitarian aid:

“in accordance with the decision of the International Narcotics Control Authority (INCB), in connection with the crisis situation and growing humanitarian needs in Ukraine, obtaining a license to export a medicinal product containing a controlled substance (narcotic or psychotropic substance) does not require prior obtaining an import license from the Ukrainian authorities.” (source: website of the Main Pharmaceutical Inspector)
If you plan to release for free circulation on the territory of Poland and then export:

All imported goods must meet the following requirements:
1. have a valid marketing authorization in the territory of the Republic of Poland, or
2. hold a valid marketing authorization in the donor country and contain the same active substance or active substances present in medicinal products admitted to trading in the territory of the Republic of Poland.
These products must not:
1. provide free samples provided as part of the advertisement;
2. come from a collection from individuals for medicinal products that require special storage conditions (at a temperature of +2 °C to +15 °C);
3. be transported and stored in conditions which do not ensure their proper quality

Food should be subject to border sanitary control
Medicinal products may be imported under humanitarian aid.
POLAND

The period of validity of products subject to humanitarian aid may not be shorter than 6 months from the date of receipt of the products until their expiry date.

The packages of the medicinal product must be labeled in English, German, French or another language easily understood in the country of the consignee.

Unit packages of a medicinal product must be intact and complete.

The marking of the unit package should include at least:

1) trade name;
2) international name;
3) character;
4) dose;
5) batch number;
6) expiry date;
7) the quantity of the medicinal product contained in the package;
8) manufacturer's name;
9) storage conditions.
POLAND

The donor is obliged to notify the recipient of the shipment of medicinal products in writing about the shipment addressed to him.

The donor should attach the following documents to the notification:

1) a declaration by the donor that the delivered medicinal products meet the requirements set out above,
2) the donation deed with the recipient of the consignment (name, address);
3) list of medicinal products constituting the subject of the shipment, specifying at least:
   a) trade name together with the international name of the medicinal product,
   b) characters,
   c) doses,
   d) expiry date,
   e) size and number of unit packages,
   f) the donor's name and address,
   g) the place of receipt of the parcel,
   h) the expected date of its delivery.
POLAND

The recipient of the shipment of medicinal products provides the pharmaceutical inspector competent for the seat of the recipient of the shipment with the documents referred to above, in order to confirm that the medicinal products meet the requirements.

The confirmation is the basis for introducing medicinal products to Poland.

There are no restrictions on the export of medical devices.

(source: Ministry of Finance – Poland – 10 March 2022)
POLAND – Official sources

National Revenue Administration – Newsletter Z/13/2022: Information on the possibility of applying reliefs from import duties on Goods imported into Poland from third countries

Dedicated platform https://pomagamukrainie.gov.pl helps to coordinate assistance.

**Customs brokers in Poland:**
Polska Izba Spedycji i Logistyki - Polish Chamber of Forwarding and Logistics
Polska Izba Cła Logistyki i Spedycji - Polish Chamber of Customs logistics and forwarding
https://pisil.pl/
Circular to diplomatic and international organizations in Moldova: Swift processing of requests related to the transit of humanitarian aid

Pending question: does it apply to INGOs?
Guidelines on Export of Aid shipments (national language)

Guidelines on Export of Aid shipments (unofficial translation)

Prior notification of the expected time of arrival of the consignments, the type and quantity of the goods and the border crossing point is intended to facilitate the smooth exit of the aid consignments. Notifications and questions will be received by a customs colleague at the contact details below.

Information and advance notice of aid shipments:
By phone: weekdays, 8 a.m. to 5 p.m., on +36-30 / 287-9203.
By e-mail 0-24: at humanitarius@nav.gov.hu;

All five border crossing points at the Hungarian-Ukrainian border are operating 0-24 hours a day
Traffic management is uninterrupted (official source – Date 10 March 2022)
Art. 21 (3) of Law Nr. 1491 from 2002 stipulates: "In exceptional cases or if medicines included in the list of vital and essential drugs are donated, including oncological, antidiabetic, antituberculosis, neuroleptic, psychotropic drugs, other medicinal products, vaccines, the Ministry of Health, Labor and Social Protection even if they have a validity period of less than 12 months, but not less than 6 months, in compliance with the conditions provided in paragraph (1)."

Procedures for the introduction into the country of humanitarian aid for the management of flow of refugees from Ukraine (in Moldovan language)

Procedures for the introduction into the country of humanitarian aid for the management of flow of refugees from Ukraine (unofficial translation)

Law 1491-XI of the Republic of Moldova about the humanitarian assistance

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n English)
Importation into Europe – Tips

Guidance on acceptable and unacceptable terms for the description of goods

<table>
<thead>
<tr>
<th>Examples of Unacceptable description</th>
<th>Acceptable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Battery</td>
<td>Lithium battery</td>
</tr>
<tr>
<td>Electronic goods</td>
<td>Computeurs, Mobile phones, Monitors, Printers</td>
</tr>
<tr>
<td>Food</td>
<td>Rice, Tomato sauce</td>
</tr>
<tr>
<td>Medical equipment</td>
<td>Band aids, Medical ventilator, blood sampling syringes</td>
</tr>
<tr>
<td>Pharmaceutical</td>
<td>Insulin doses</td>
</tr>
<tr>
<td>Sanitary goods</td>
<td>Towels, tooth brushes</td>
</tr>
</tbody>
</table>
UKRAINE

IMPORTATION AND CUSTOMS PROCESSES
UKRAINE – Importation and Customs processes

Official documents

10 March 2022 – Resolution on Customs clearance of Certain Goods (in English)

07 March 2022 – Categories of goods recognized as humanitarian aid (in Ukrainian)

02 March 2022 – Decree 174 – Humanitarian aid across the border of Ukraine (English version)

25 Feb 2022 – Decree 155 – Peculiarities of recognition by humanitarian aid of goods

Facebook page - Customs administration of Ukraine: https://www.facebook.com/UkraineCustoms
Two documents must be attached to the relief consignments, both in passenger and freight traffic:

- a letter of gift or donation,
- a detailed list of imported goods

**Humanitarian Aid Form**

<table>
<thead>
<tr>
<th>Прапом, класифікація іноземної</th>
<th>постачальник (на відомоності) особи, що здійснює декларування</th>
<th>Name the person making the declaration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Марка машини/ Brand of car</td>
<td>Паспорт номером/ License plate</td>
<td>Відправлення/ dispatch</td>
</tr>
<tr>
<td>Отримувач/Recipient</td>
<td>Пункт пропуску/ checkpoint</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>№</th>
<th>Товар/ Goods</th>
<th>Кількість, шт/ Quantity, pc</th>
<th>Об'єм/ volume (litr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Question</td>
<td>Answer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 When the freight forwarder brings cargo into</td>
<td>– <strong>302 EU transit clearance</strong> is a transit Customs form established to cover the movement of military equipment belonging or delivered to NATO members armies within EU.. (source)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Europe in transit, they typically post a bond that is reimbursed when it leaves the EU. So, this is one question that needs to be clarified: how can we close the loop and establish it’s left the EU? This is known as “302 EU Transit Clearance”.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Is the use of a <strong>customs broker</strong> mandatory?</td>
<td>No. The use of a customs broker is not mandatory, however it is very useful. It facilitates the import procedures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 <strong>Consignee</strong></td>
<td>please make sure you have a designated consignee. It cannot be « the people of Ukraine »</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td>Answer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
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</tr>
<tr>
<td>4  Parts of the IEHK are not allowed to be used in the EU. We are concerned about getting export approval from the EU export country and import approval from Poland due to this even though the final destination is Ukraine. Do you have any advice of government export / import waivers in place for these circumstances given it’s a humanitarian emergency?</td>
<td>Transit regime and bonded warehouse (slide 7)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5  Any difficulties to import to Ukraine from Romania or Moldavia if INGO not registered yet in either of those countries?</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>6  Is there a waiver in Poland for humanitarian relief that is going to be used in Poland and that is coming in from a country outside of the transit Convention?</td>
<td>Information available in slides 9 - 15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7  Do we have any clarity on duty exemption in Romania yet?</td>
<td>Information on Romania: slide 16 More information when available</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Ukraine - Pending questions

1. Procedures to import PPEs, helmets, etc into Ukraine?
2. Procedures to import armoured vehicles not EUR06 compliant?
3. Is GMO food allowed?
4. Change of consignee: To expedite emergency requests, we would like to change the consignee for orders coming directly from our suppliers to our team in Ukraine. Any change of consignee currently takes around 2 months. The specific case I have in mind concerns an Armored vehicle procured in Germany that we need to send to our staff on site. Changing the consignee means canceling the export license already obtained for consignee 1 and requesting a new one. Any emergency procedure we could use to expedite this process?
5. Are there any sanctions, restriction for imports on specific countries? If so, which ones?
6. Language barrier on export/import documentation: how to address it? All documentation are currently in English and this might create delay at the border as we understand everything needs to be translated in Ukrainian [please advise if this is not accurate]
7. Establishment of a One-Stop-Shop: under consideration
Ukraine - Pending questions

8. As local NGO, we cannot send directly equipment directly in Ukraine and must go through third country in ECC. How to claim tax refund in Poland before re-exporting to Ukraine?
Contact

Global Logistics page on Ukraine

Impacct Working group page

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