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## PARTICIPATION OF THE REPUBLIC OF BELARUS IN INTERNATIONAL CUSTOMS COOPERATION

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International customs cooperation meets the political and economic interests of the Republic of Belarus and is an important factor in the interaction with global structures.

The problem seems to be very relevant in connection with the current processes of international economic integration in Europe. The Republic of Belarus participates in international cooperation in the sphere of customs regulation in order to harmonize and uniform the legislation with the norms of international law and generally accepted international practice.

The aim of the article is to show the main directions of current international customs cooperation of Belarus which is developing in the mood of good neighborly relations and close cooperation, development of compromise decision, constructive mutually beneficial dialogue and represents the deepening of customs links.

**Material and methods.** Analysis of international treaties and normative acts of the Republic of Belarus in the field of international customs cooperation with border countries and participation in international organizations and associations.

**Finding and their discussion.** The customs authorities of the Republic of Belarus cooperate with the customs services of foreign countries, participate in the work of various international organizations and integration associations in order to develop many-sided beneficial cooperation, improve the legal framework of international obligations. The main objectives of the international customs cooperation of Belarus are to form the international legal basis; to conduct the meetings and consultations; to participate in the work of international organizations on the issues of customs regulation; to cooperate in the framework of international technical assistance and cross-border cooperation programs.

The most close and fruitful customs cooperation of the Republic of Belarus is conducted in the post-Soviet area between Russia and Belarus, the Eurasian Economic Union (EAEU) and the Commonwealth of Independent States (CIS). Cooperation between customs authorities of the Republic of Belarus and the Russian Federation in the main branches of customs administration is implemented in the framework of the Customs Committee of the Union State functioning. Customs Committee of the Union State is an authority, carrying out the unification of customs legislation on issues, within the competence of the customs authorities of the member states, as well as the joint organization and management of the customs business between the two states for ensuring common procedure and conditions of import of goods and means of transport, the export of goods and their transit [1].

Another integration union in the framework of the Eurasian Economic Union is a Joint board of customs services of the member states of the Customs Union, established in 2011, which currently includes customs services of Belarus, Russia, Kazakhstan, Armenia and Kyrgyzstan. Participation in the work of the Joint board promotes practical cooperation with the customs authorities of the member states of the Eurasian Economic Union in order to conduct a coordinated policy on customs and deepen customs cooperation, harmonize national customs legislation, ensure the unity of the customs services management [1].

Regarding the international legal framework creation on issues of customs control, it should be noted that it is based on the generally recognized rules and principles of international law, in particular on the provisions of the International Convention on the Simplification and Harmonization of Customs Procedures of May 18, 1973, in the Protocol of 26 June 1999 (the so-called Kyoto Convention), as well as the standards and rules of the World Customs Organization (WCO), in particular the Framework of Standards to Secure and Facilitate Global Trade [2].

The Republic of Belarus has joined to Kyoto Convention in 2009 and become the 72<sup>nd</sup> member state. A fundamental principle of the Convention is to maximize the promotion of international trade by adoption of simplified standard rules and procedures, the widespread introduction of information technologies and establishment of partnerships with law-abiding participants of foreign economic activity.

The rules of the Convention by the establishment of easy-to-understand, uniform in the interpretation and clear for the application of regulatory requirements create conditions for the smooth movement of goods, reducing the time of customs procedures and unification of customs documents, that, as a result, helps to increase

trade turnover among the countries, investment attractiveness of the national economies and increase their business activity.

The Convention defined, that, in order to achieve harmonization and simplification of customs procedures, each Contracting Party assumes responsibilities to assist to such simplification and harmonization through the introduction of standards of the Convention, without requiring of their literal implementation in national law.

Development of international instruments in the sphere of customs is one of the most important activities of the customs authorities of the Republic of Belarus. In particular, international agreements of the Republic of Belarus on cooperation and mutual assistance in customs affairs are the legal basis for cooperation of customs services of the Republic of Belarus with customs authorities of foreign states, as well as the legal basis for the conclusion of international agreements of the interdepartmental character in the various areas of cooperation.

To summarize the provisions and the subject of regulation of such international agreements it can be said that customs authorities under agreements may cooperate and provide mutual assistance in order to: a) ensure the proper application of customs legislation; b) prevent and investigate violations of customs legislation; c) give assistance in simplification of transit across the customs territory of the Contracting Parties.

The agreements define the order of the supplying and use of information, transfer of documents, the conduction of the targeted control over goods and vehicles, the use of the method of controlled delivery to identify the persons involved in committing customs offenses.

Contractual framework expands the legal boundaries of international cooperation, which has a positive effect on the efficiency of fulfillment of the tasks to protect the economic interests of the state. At present there are about 75 international agreements dealing with the various aspects of customs cooperation. This figure does not include contracts that make up the right of the Eurasian Economic Union on the issues of customs administration.

It should be noted the cooperation of the customs service of the Republic of Belarus with the World Customs Organization, which is an intergovernmental international organization which contains the customs services of 180 countries, which account for nearly 98% of world trade. The Republic of Belarus has become a member of the World Customs Organization on December 16, 1993 and currently is an active member of it, taking advantage of the right to receive some assistance in the framework of the World Customs Organization on customs issues [2].

**Conclusion.** Thus, it can be concluded that the active participation of Belarus in international customs cooperation contributes to the strengthening of the political status of the country, as well as the development of equal partnership relations of the Republic of Belarus with foreign countries.

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## СОЮЗНОЕ ГОСУДАРСТВО РОССИИ И БЕЛАРУСИ С ПОЗИЦИИ МЕЖДУНАРОДНОЙ ПРАВОСУБЪЕКТНОСТИ

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Договор о создании Союзного государства между Россией и Беларусью был подписан 8 декабря 1999 года, а 26 января 2000 года вступил в законную силу. Его международно-правовое признание непосредственно связано с международной правосубъектностью международного объединения.

Целью данной работы является рассмотрение понятия международной правосубъектности государства, изучение признаков правосубъектности международных организаций на примере Союзного государства России и Беларуси. А также установление обстоятельств, препятствующих интеграции двух государств.

**Материал и методы.** Материалом данного исследования являются Договор о создании союзного государства России и Беларуси, проекты Союзного государства, Конституция Республики Беларусь, Конституция Российской Федерации. В работе использованы формально-юридический метод, сравнительно-правовой метод, анализ.

**Результаты и их обсуждение.** Существует два подхода к определению понятия международной правосубъектности: с точки зрения общей теории права и с позиции международного права.

Общая теория права под международной правосубъектностью понимает совокупность понятий правоспособность и дееспособность. То есть способность субъектов международного права иметь и осуществлять субъективные права и обязанности, нести ответственность в соответствии с международным законодательством, а так же соблюдать юридические обязанности в рамках международных отношений.