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МЕЖДУНАРОДНОЕ СОТРУДНИЧЕСТВО ТАМОЖЕННЫХ ОРГАНОВ В ОБЛАСТИ ОХРАНЫ ОКРУЖАЮЩЕЙ СРЕДЫ

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INTERNATIONAL COOPERATION OF CUSTOMS AUTHORITIES IN THE FIELD OF ENVIRONMENTAL PROTECTION

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Аннотация. В статье затронуты вопросы применения механизма международного таможенного сотрудничества в целях обеспечения экологической безопасности внешнеторговых процессов и таможенного дела, затронуты вопросы взаимодействия таможенных органов с международными природоохранными организациями.

Abstract. The article touches upon application of international customs cooperation mechanism in order to ensure environmental safety of foreign trade and customs processes, touched upon the issues of cooperation between customs authorities and international environmental organizations.

Ключевые слова: таможенные органы, экологический правопорядок, международное сотрудничество, охрана окружающей среды.

Keywords: customs authorities, environmental law and order, international cooperation, environmental protection.

The issues of regulating environmental security are multifaceted and are currently a top priority for the global community. The transboundary nature of environmental threats due to their natural as well as anthropogenic economic migration requires the application of international assistance institutions and administrative assistance in the field of

localization and elimination of environmental risks of transboundary nature. The environmental problems aggravated in the process of foreign trade activities (illegal export of forest bioresources, smuggling of endangered species of wild flora and fauna, import of ecologically dangerous products, as well as violation of the procedure of placing the components of the natural environment and the order of their storage) [1], require close attention of the state institutions of environmental management, including customs authorities.

Customs is the most important link in the environmental security system through control, supervision and expertise of the quality of imported products into the customs territory. In this area of customs affairs, a number of important programmes have been adopted aimed at protecting the environment. The customs authority, within the framework of international cooperation and its competence, undertakes various measures to protect flora and fauna, as well as the life and health of the population [2]. The main threats to the environment stem from the liberalization of foreign trade, which has led Customs authorities to control the movement of strong, toxic, and radioactive substances and radioactive sources across the customs border. Customs services carry out environmental control in the form of preliminary documentary control, proper declaration of goods that are ecologically dangerous and environmentally sensitive objects, detect cases of smuggling of rare and endangered species of flora and fauna and other environmental objects [4].

Environmental security carried out by customs authorities includes a number of environmentally relevant management actions: control of imported transport for compliance with "environmental safety class"; documentary sanitary-quarantine and phytosanitary control; radiation control of imported goods; control of compliance with bans and restrictions affecting foreign trade and set for environmental purposes; analysis and forecasting of threats to environmental security as part of a risk management system; interaction with customs authorities of foreign countries, international organisations on environmental security issues [4].

It should be noted that international customs co-operation is the interaction between States to address environmental issues in a co-ordinated manner through customs participation in international environmental agreements and the enforcement of international environmental obligations. International customs co-operation in the environmental field is an important area of co-operation between States and organizations. It consists of joint co-ordination to improve the environmental situation both within a State and globally. The importance of international customs cooperation in this area lies in the increasing number of multilateral international environmental agreements signed within the framework of the World Trade Organization (hereinafter, the WTO), the World Customs Organization (WCO/Customs), and other international organizations and conventions that affect customs [5]. For example, the World Customs Organization member countries have worked hard to combat offences and crimes related to the environment and environmental management. The objectives of customs authorities in the field of environmental security are to prevent the movement of environmentally hazardous objects across borders, to prevent the smuggling of endangered species of the natural environment, and to control compliance with bans and (or) restrictions on the transport of goods across borders.

International customs cooperation in the field of environmental security takes several forms. The WCO Committee on Trade and Environment organizes various programs and takes all sorts of actions to regulate customs services in the field of environmental protection in developing countries [7]. Since the object of customs legal relations is the order formed in connection with the movement of goods and vehicles across the customs border, the environmental function of customs authorities is implemented in the process of such movements.

The mission of customs authorities in the field of environmental security is realized in the process of customs control by detecting, preventing and stopping environmental violations in the crossing of environmentally dangerous objects across the border.

The main thrusts in the field of international cooperation are in the development of international partnerships. The World Trade Organization has identified areas for international customs cooperation on the environmental impact of trade in environmentally hazardous goods and has advocated multilateral international environmental agreements between states and customs services as a way of addressing domestic and global environmental issues. The WCO believes that international cooperation is the best way to solve environmental problems, as unilateral government action can lead to an unfavorable environmental situation [7, 9].

Of the majority of multilateral treaties currently in force, many include provisions allowing Customs to restrict trade in certain circumstances. In the framework of international cooperation, Customs mobile teams carry out investigative activities to identify persons preparing, committing or committing illegal acts related to the illegal movement across the customs border of protected and high-value wildlife and aquatic biological resources, and also regularly carry out their functions through raids and on-site customs inspections. Through such actions, the customs authorities detect, prevent and suppress offences in the customs sphere and in the issues of production, storage, and transportation of goods that include objects of the natural environment [10].

International customs cooperation in the field of environmental security is also realized through participation in international programs established under the auspices of the United Nations. The main purpose of these programs is to improve the functionality and efficiency of customs services in the control of environmentally sensitive goods [11]. In order to ensure the human right to a favorable environment, to prevent violations in the environmental sphere, to combat global environmental problems the UN developed a worldwide environmental program «Green Customs». «Green

Customs» is an initiative of all countries around the world that promotes the competence of customs officers to strengthen environmental security [12].

To summarize, international customs cooperation makes a significant contribution to improving the environment. Exchange of administrative experience and joint activities in the field of control and surveillance and investigative activities contribute to effective detection and suppression of illegal movement of environmentally hazardous and environmentally sensitive objects across the customs border, ensuring environmental safety of foreign trade activities.

Литература

1. Суперека П.В. Экологическое право. Шпаргалка // Учебное пособие Москва 2008 С.32 [Электронный ресурс] URL: https://www.studmed.ru/supereka-pv-ekologicheskoe-pravo-shpargalka_cffd6ecb980.html (дата обращения 15.11.2021).

2. Ронжина Н.А. Механизм юридического закрепления эколого-правового статуса таможенных органов // Финансовая экономика 2021. № 4(часть1). С. 77-81.

3. Ронжина Н.А. Особенности нормативного закрепления эколого-правового статуса таможенных органов в условиях функционирования Евразийского экономического союза // Евразийский юридический журнал 2021. № 4(155). С. 130-133

4. Полякова Н.В. Административно-правовое регулирование деятельности таможенных органов как субъектов обеспечения безопасности Российской Федерации в экологической сфере // Российская Таможенная Академия. Люберцы 2013 С.1-26 [Электронный ресурс] URL: <https://www.dissercat.com/content/administrativno-pravovoe-regulirovanie-deyatelnosti-tamozhennykh-organov-kak-subektov-obespe> (дата обращения 17.11.2021).

5. М.А. Кадыркулов, С.В. Мозер, Н.Г. Липатова Всемирная таможенная организация как современный институт совершенствования таможенного администрирования и упрощения процедур торговли. - М.: Российская Таможенная Академия, 2017. -173 с. [Электронный ресурс] URL: http://rta.customs.ru/nrta/attachments/3756_978-5-959.. (дата обращения 17.11.2021).

6. Булгакова Л. С. Международное сотрудничество таможенных органов в области обеспечения экологической безопасности государства // Гуманитарные, социально-экономические и общественные науки. 2018. №9. [Электронный ресурс] URL: <https://cyberleninka.ru/article/n/mezhdunarodnoe-sotrudnichestvo-tamozhennyh-organov-v-oblasti-obespecheniya-ekologicheskoy-bezopasnosti-gosudarstva> (дата обращения: 18.11.2021).

7. Центр экспертизы ВТО // Справка о ВТО [Электронный ресурс] URL: <https://wto.ru/about-WTO/info-WTO/> (дата обращения: 18.11.2021).

8. Бабанина А.Р. Правоотношения в области таможенного дела // StudNet. 2020. №10. С.-190 [Электронный ресурс] URL: <https://cyberleninka.ru/article/n/pravoотношения-v-oblasti-tamozhennogo-dela> (дата обращения: 18.11.2021).

9. Ронжина Н.А. Особенности нормативного закрепления эколого-правового статуса таможенных органов // Ленинградский юридический журнал. 2021. № 2 (64). С. 143-156

10. Ронжина Н.А. Механизм юридического закрепления эколого-правового статуса таможенных органов // Финансовая экономика 2021. № 4(часть1). С. 77-81

11. Лучникова З.Э, Ронжина Н.А.. Таможенное администрирование выполнения обязательств по глобальным экологическим соглашениям [Текст] // Сборник научных статей по материалам V Международной научно-практической конференции «Инновационные научные исследования в современном мире: теория, методология, практика» (02 февраля 2021 г., г. Уфа). – Уфа: Изд. НИЦ Вестник науки, 2021. – С. 66-72.

12. Ронжина Н.А., Ставцова А.О. Юридическое закрепление экологических функций таможенных органов: исторический аспект [Текст] // Сборник научных статей по материалам IV Международной научно-практической конференции «Цели и пути устойчивого экономического развития» (12 января 2021 г., г. Уфа). – Уфа: Изд. НИЦ Вестник науки, 2021. – С. 159-166

References

1. Supereka P.V. Environmental Law. A cheat sheet // Textbook Moscow 2008 P.32 [Electronic resource] URL: https://www.studmed.ru/supereka-pv-ekologicheskoe-pravo-shpargalka_cffd6ecb980.html (accessed 15.11.2021).

2. Ronzhina N.A. Mechanism of legal consolidation of the environmental legal status of customs authorities // Finansovaya ekonomika 2021. № 4(part1). С. 77-81.

3. Ronzhina N.A. Peculiarities of normative consolidation of environmental legal status of customs authorities in the functioning of the Eurasian Economic Union // Eurasian Law Journal 2021. № 4(155). С. 130-133

4. Polyakova N.V. Administrative-legal regulation of the activities of customs authorities as subjects of security of the Russian Federation in the environmental sphere // Russian Customs Academy. Lubertsy 2013 P.1-26 [Electronic resource] URL: <https://www.dissercat.com/content/administrativno-pravovoe-regulirovanie-deyatelnosti-tamozhennykh-organov-kak-subektov-obespe> (accessed 17.11.2021).

5. M.A. Kadyrkulov, S.V. Mozer, N.G. Lipatova World Customs Organization as a modern institute for improving customs administration and trade facilitation. - Moscow: Russian Customs Academy, 2017. -173 с. [Electronic resource] URL: http://rta.customs.ru/nrta/attachments/3756_978-5-959... (date of accession 17.11.2021).

6. Bulgakova L. S. International cooperation of customs authorities in the field of environmental security of the state // Humanities, socio-economic and social sciences. 2018. №9. [Electronic resource] URL: <https://cyberleninka.ru/article/n/mezhdunarodnoe-sotrudnichestvo-tamozhennyh-organov-v-oblasti-obespecheniya-ekologicheskoy-bezopasnosti-gosudarstva> (date of reference: 18.11.2021).
7. WTO Centre of Expertise // WTO Reference [Electronic resource] URL: <https://wto.ru/about-WTO/info-WTO/> (date of reference: 18.11.2021).
8. Babanina A.R. Legal relations in the field of customs // StudNet. 2020. №10. P.-190 [Electronic resource] URL: <https://cyberleninka.ru/article/n/pravootnosheniya-v->. (date of reference: 18.11.2021).
9. Ronzhina N.A. Peculiarities of normative consolidation of the environmental-legal status of customs authorities // Leningradsky juridical journal. 2021. № 2 (64). C. 143-156
10. Ronzhina N.A. Mechanism of legal consolidation of the environmental legal status of customs authorities // Finansovaya ekonomika. 2021. № 4(part1). C. 77-81
11. Luchnikova Z.E., Ronzhina N.A. Customs administration of obligations fulfillment for global environmental agreements [Text] // Collection of scientific articles on the materials of the V International Scientific-Practical Conference "Innovative scientific research in the modern world: theory, methodology, practice" (February 02, 2021, Ufa). - Ufa: Publishing House. SIC Vestnik of Science, 2021. - C. 66-72.
12. Ronzhina N.A., Stavtsova A.O. Legal consolidation of environmental functions of customs authorities: a historical aspect [Text] // Collection of scientific papers on the materials of the IV International Scientific-Practical Conference "The goals and ways of sustainable economic development" (12 January 2021, Ufa). - Ufa: Publishing house NIC Vestnik Nauk, 2021. - C. 159-166