

## FACILITATING CROSS-BORDER TRADE: EXPLORING THE CUSTOMS MEASURES WITHIN THE RCEP

*The Regional economic partnership agreement, which entered into force on January 1, 2022, has attracted wide interest because it is considered the largest trade bloc in the world. According to Article 1.3 (B), the Agreement aims to promote trade between the participating states (ASEAN member countries, Japan, the Republic of Korea, Australia, New Zealand, and China) by eliminating tariff and non-tariff barriers to trade. Taking into account the insufficient scientific study of Chapter 4 Customs Procedures and Trade Facilitation (CPTF) and in some cases the relevance of how certain rules are applied in practice, it was decided to investigate the following issues: innovations to the RCEP in the obligations of states in the customs sphere in comparison with the standard FTA; how the supplier processes the goods and how customs clears the goods; what simplifications are provided in the preparation of documentation for the movement of goods across the border; the author simulated the situation of interstate trade with Japan for a better step-by-step understanding of what actions the supplier should learn.*

*Finally, the benefits for countries that are not members of the REP, but bear the fruits of customs reforms and digitalization of customs, were examined. The author uses theoretical and empirical methods in his work. In parts of the study, the author gives examples of the practical application of the provisions and uses situation modeling. The central objective of the CPTF chapter is to establish an equitable platform for all 14 member countries, accommodating their circumstances. The primary focus of RCEP member states is to amplify trade transparency, bolster involvement in global and regional supply chains, and ensure uniform customs procedures. Notable aspects encompass the introduction of advanced rulings, initiatives for paperless trade, authorized operator schemes, and defined timelines for customs procedures. The execution of the CPTF chapter is overseen by customs administrations in each member state, though disparities in preparedness lead to flexibility in implementing commitments. Non-member nations, exemplified by Ukraine, can indirectly gain from RCEP by imbibing member states' reforms, optimizing customs protocols, and fighting against corruption.*

**Key words:** customs affairs, customs activity, foreign economic activity.

**JEL Classification:** K 30.

### **Dmytro DEINEKO,**

*Postgraduate student at the Department of International Law, Educational and Scientific Institute of international relations, Taras Shevchenko National University of Kyiv;*

*The consular official of the Embassy of Ukraine in the Kingdom of Thailand  
dmytro.deineko@mfa.gov.ua  
orcid.org/0000-0002-0373-7097*

**Introduction.** The Regional Comprehensive Economic Partnership (RCEP) constitutes the preeminent regional multilateral free trade accord worldwide. Its fundamental objective is the establishment of an integrated regional marketplace primarily centered upon the ten sovereign states comprising the Association of Southeast Asian Nations (ASEAN), together with the economies of New Zealand, Australia, China, Japan, and the Republic of Korea. The RCEP will work alongside and support an open, inclusive, and rule-based multilateral trading system. The negotiation of the agreement took almost a decade and was completed in 2020. The aggregate assembly of fifteen constituent nations within RCEP collectively embodies a cumulative gross domestic product (GDP) of approximately 38,813 billion USD, equating to roughly 30% of the global GDP (*Study on Tariffs: Analysis of the RCEP Tariff Liberalization Schedules, 2022b*). Noteworthy to mention, five of the RCEP constituent nations, namely Australia, China, Indonesia, Japan, and South Korea, concurrently hold membership within the Group of 20, the internationally recognized forum facilitating global economic collaboration among the world's foremost twenty economies (*The Regional Comprehensive Economic Partnership, 2022*). Under the Agreement, average tariff liberalization (i.e., tariff lines subject to elimination or reduction) across participating countries will improve

---

to 97.4 percent compared with existing ASEAN+1 FTAs where average liberalization ranges from 89.8 percent (under ASEAN-Japan Comprehensive Economic Partnership) to 94.6 percent (under Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area) (*RCEP Highlights, 2022*).

**The purpose of this study** is to (1) analyse the intricacies and implications of the Customs Procedures and Trade Facilitation Chapter (CPTF) within the Regional Comprehensive Economic Partnership (RCEP) agreement; (2) conduct an in-depth legal and regulatory examination of the Customs Chapter, delving into its clauses, obligations, and potential impact on the customs procedures and trade facilitation among the member nations; (3) investigate the degree of harmonization achieved in customs practices and regulations across the diverse member states, considering factors such as tariff classifications, valuation methodologies, rules of origin, and trade documentation requirements. The additional aim of the research is to anticipate potential future implications of the Customs Chapter on regional trade dynamics, customs administration practices, and its potential impact on Ukraine's international trade in goods.

**Understanding the CPTF Chapter RCEP.** As of August 2023, there are 14 active members of the RCEP: 9 ASEAN states, China, Japan, the Republic of Korea, Australia, and New Zealand. It is important to note that the RCEP agreement can only be used among its active members. In February 2023, the Philippine Senate ratified the agreement, marking the country as the last signatory, apart from Myanmar, to finalize its commitment to the treaty (*Rocamora, 2023*). Thus, at the moment the RCEP cannot be used to trade with Myanmar. Hopefully, during the next half year, all countries will become active members of RCEP. RCEP is based on ASEAN+1 agreements, especially the ASEAN-China agreement. The crucial part is that some elements are innovative. In particular customs rules in RCEP are different from the ASEAN+1 agreement rules. Special attention should be given to exceptions, *e.g.* Laos has received exceptions due to the least developed country status. Thus, the exception rules should be read closely to make sure it applies in a particular case. RCEP is a comprehensive agreement that covers a range of topics like goods, services, investment, and intellectual property rights.

Altogether there are 20 Chapters in RCEP final agreement. The RCEP comprises 20 Chapters and includes many areas that were not previously covered in the ASEAN+1 FTAs. The RCEP has specific provisions covering trade in goods including rules of origin, customs procedure and trade facilitation, sanitary and phytosanitary measures, standards, technical regulations, and trade remedies. However, the focus of this research is customs law. The trade under RCEP is shirting from the traditional scheme to a *sui generis* “*in Asia for Asi*”» model (*Zhang, 2022*). The important benefits offered by RCEP are as follows:

- 1) lower tariff rates or even zero tariffs for qualifying products;
- 2) identical rules of origin for all RCEP markets;
- 3) one document, RCEP PCO (to show that goods qualify);
- 4) consistent rules at the border (to make clearance faster); Every port of entry is supposed to have the same customs rules across RCEP.

According to Mrs. Chansopeap Ouk, Chief of the Free Trade Office, who represented Cambodia at the RCEP customs sub-working group it took 4 years to negotiate RCEP CPTF. The sub-working group commenced in 2013 and finished in autumn 2018 after 21 rounds of negotiations. Coincidence or not, the 21st round of negotiations contributed to the planning of 21 articles on customs procedures. Chapter 4 covers general principles and specific commitments that ensure predictability, consistency, and transparency in the application of customs laws and regulations of RCEP countries (*Discussing What the RCEP Customs Procedures and Trade Facilitation Provisions Mean for Cambodian Business, 2022*).

**Analysis of the CPTF Chapter.** The chapter on customs and trade facilitation (CPTF) is a standard chapter for all FTAs. RCEP embeds commitments from the WTO trade facilitation agreement – including WTO Plus and, actually, is modeled on the ASEAN+1 FTA agreement. The objective of the CPTF Chapter was to agree to a broader and deeper engagement with significant improvements over the existing ASEAN+1 FTAs and the WTO Trade Facilitation Agreement while recognizing the individual and diverse circumstances of the participating countries. RCEP member states aspired to include clear provisions that facilitate trade and enhance transparency in trade relations between the participating countries, as well as provisions to facilitate RCEP countries' «engagement in global and regional supply chains». Most significant is a commitment to work forward concrete timelines for several customs procedures such as 90 days issuance period for Advance ruling on tariff classification, rules of origin, and customs valuation.

CPTF comprises 21 articles that are designed to provide a “level playing field” for all members. Key CPTF provisions: 1) submission of trade and customs documentation before the goods arrive (*this form of*

---

advanced lodgements of documentation greatly reduces the amount of time the goods undergo customers clearances); 2) RCEP rules go slightly beyond above the WTO trade facilitation (it commits members to allow for customs rulings to be provided to traders upon request for the tariff classification of their goods whether a good is originating and for the appropriate method for calculating customers value); 3) transparency for business community (certainty as to how a customs administration or ministry will treat their product; this reduces discrepancies that may happen at the border); 4) release of goods (very strong commitments to members to maintain procedures to clear goods from customs within specific time frames) (Chapter 4 RCEP, 2021).

**Release of goods** (Article 4.11). There are clear release guidelines as sometimes customs may be slow. Worth noting that the rules here go beyond the WTO trade facilitation commitments. Customs are supposed to release express shipments within 6 hours. The same 6 hours rules apply to perishable goods, so the market can enjoy fresh fruits. This commitment provides traders of food and agricultural products with greater certainty that their products will be released quite rapidly after arrival and allows traders to plan appropriately and reduce potential costs associated with storage. All goods are supposed to be released within 48 hours. This makes the whole shipment process quick as it reduces costs for the traders and it reduces costs also for customs administrations that conduct the clearance of goods. Not all countries are ready to implement the rules at the moment. E.g. Laos asked for 5 extra years to implement most RCEP customs commitments. There is a reasonable flexibility also for Cambodia, and Myanmar on some of the rulings and guidelines. But for every other party of RCEP, the rules should be followed.

**Paperless trade** (Article 4.12). RCEP makes commitments that apply or work towards applying information technology to support customs processes, clearances, and risk management. This includes making available and accepting trade and customs documents in electronic format. This is moving towards a paperless trading system which will make it easier for business and reduce costs both for traders and customs agencies. At the moment a lot of customs administrations rely on hard copy documentation on the requirement for wet seals and wet signatures and moving towards a paperless trading system or regime is a way to facilitate trade.

**Authorized operators scheme** (Article 4.13). At the moment RCEP works on the authorized operators' scheme. Qualifying firms can apply to be classed under the RCEP authorized operators scheme. The scheme will facilitate movement across borders into RCEP markets. In the early days of implementation, RCEP members are not sure about the criteria, but it may include: 1) an appropriate level of compliance; 2) a system of managing records; 3) financial solvency; 4) supply chain security. RCEP-authorized operators system should achieve the following: 1) fewer information requests; 2) fewer physical inspections of goods; 3) rapid release times; 4) single customs declarations for a specific period; 6) clearance at premises. Once a trustworthy company is put into the authorized operator category, the government will have an opportunity to focus more on riskier firms, which are more likely to be shipping illegal goods. Thus, once a "good company" is placed into the category of an authorized operator the company will get faster clearance, fewer shipment inspections, and payment that can be made after.

**Express consignments** (Article 4.15). This is a new provision within FTAs. RCEP adopts the measure to expedite clearances of express goods within six hours of arrival of those goods at the border so this includes measures to reduce documentation requirements for express consignments and it's very important for the FTA agreement commitments. These commitments make sure traders that their products will arrive at the destined markets within a tangible time frame under similar conditions.

**Implementation procedures** (Article 4.12 and Annex 4A). Not all RCEP members are at the same stage of development in terms of their customs laws and procedures. RCEP allows some members to implement certain commitments within this chapter in an agreed time frame due to different levels of readiness of parties in implementing some of the provisions. This information is specified in Annex 4a of the RCEP agreement – The period to implement the commitments (RCEP Annex 4, 2022).

This is important for least-developed countries like Laos, Myanmar, and Cambodia so that the governments ensure appropriate policy and legal reforms are undertaken. For example, Laos has been given an appropriate amount of time to develop its policy reform necessary to implement release procedures. 3 years were given to Laos to implement IT measures; 3 years to comply with the requirements of the agreement in the context of customs clearance of goods, except for perishable goods – Laos will need 5 years to carry out the necessary reforms in this part. It is worth noting that Myanmar and Cambodia were also given time to implement domestic legislation in numerical categories under the rules of the

---

UNEP. For Annex 4A, the number of years, such as «five years» means that the full implementation of the respective provisions of the Articles shall commence within the stated number of years from the entry into force of the RCEP agreement. In most categories, this time expires in 2027. It is extremely interesting to observe the implementation of reforms in these countries and requires detailed research after obtaining positive results (Deineko, 2022).

The author set himself the task of statistically calculating and verifying the full implementation of the relevant provisions of Section 4. However, in the process of research, it was established that the question is correctly structured. The global reason is the lack of implementation of the provisions of the RCEP. Such a reason has its legal justification because the member countries of the Agreement in Annex 4A have determined the time frame for the implementation of measures to simplify customs clearance and technical cooperation. For example, Vietnam needs in most cases until December 31, 2023, to implement measures; Myanmar takes 5 years in most cases; Malaysia needed time until 28 February 2022 to improve the field of express shipments; Laos needs 3 to 5 years to fully implement various articles in the Customs Section; Indonesia brought its risk management measures into compliance by 28 February 2022. Interestingly, China needed 5 years to fully implement Article 4.4 Consistency regarding the application of customs laws throughout its customs zone. This reservation reflects the political component of the implementation of the agreement not so much on the mainland of China as concerning the autonomous territories of China.

**Consistency and Certification (Article 4.4).** Crucially not every product qualifies e.g. just because some product is coming from Myanmar does not mean it automatically qualifies for lower tariff rates. RCEP benefits are given only if the interested party asks for RCEP benefits. It is very important to follow the rules because only originating products get the benefits of RCEP. RCEP sometimes allows 40% regional value content (RVC). That means that a business may add or accumulate from ASEAN members and China Japan, Korea, Australia, and New Zealand. To make it more clear 12 countries can contribute to the content in the product in case RVC rules are satisfied. Why is it important? A big quantity of Chinese components, raw materials, or products that are coming from Korea can be added to the RVC calculation. For many businesses, it is easy now to meet RVC level because they can now count on the value of the content that comes from RCEP markets. To take advantage of RCEP benefits a party should fill an RCEP preferential certificate of origin. The document does not ask you to provide complicated information that you do not know. Simply, the correctly filled certificate of origin attached to a shipment gives you a smooth way through customs that allow you to get zero or lower tariffs in RCEP. At the moment the RCEP preferential certificate of origin should be filled out only in hard copy, the online version is under consideration. RCEP MS discusses the self-certification project. That means there is no need for a business to get a piece of paper from the Chamber of Commerce and more importantly pay for it. Basically, self-certification means that a business declares that it met the rules.

Once the company filled out the RCEP preferential certificate of origin and meets the rules it can use the same form for shipment to all RCEP members. Since there are plenty of agreements like RCEP, ASEAN, and ASEAN+1 in each case the party should use the correct form. Once a good qualifies for RCEP, it qualifies into all 12 RCEP markets. This condition may be very lucrative for traders. If a shirt meets RCEP ROOs it can be sent without change to Japan, Korea, China, Australia, New Zealand, and ASEAN markets.

**Advance rulings (Article 4.10).** The customs and trade facilitation chapter pledges members to make customs clearance easier, faster, and more transparent. One utmost useful things in the Customs chapter of RCEP is advance rulings. Customs can provide feedback on how to classify goods under tariff heading, and whether the product meets the origin criteria. Once a determination is made there should be no further questions at customs borders as long as the product remains unchanged. Advance rulings are stable for 3 years. Why is it important? In many ASEAN customs ports when the officers examine the goods and the business views it under one particular category that has a 0%, the customs officer may use its discretion to put it into a category called “Other” that has e.g. 10% tariff rate. Advance ruling let the business put their good into a specific category and eliminates the necessity to prove the good qualifies under that category every next shipment. Having a stable 3-year ruling is safe and helpful. Before customs often asked businesses to open every container and make re-justify every container.

**Control over implementation.** The implementation of RCEP provisions is monitored by the Headquarters of the customs administration in each member state. For example, in Cambodia General Department of Customs and Excise (GDCE) is a receiving authority that verifies the Certificate of Origin

---

for providing preferential tariff treatment under FTAs to the exporters. GDCE is a member of the Rules of Origin working group led by the Ministry of Economy and Finance. It is also necessary to note the international organizations that provide technical and material support for regional integration, for example, UNCTAD, World Customs Organization, and Global Alliance for trade facilitation. The actual implementation of obligations does not depend on what date is on the calendar. For example, the technical task varies between 1) simple – placing hyperlinks to export/import rules and placing samples of filling out documents (Art 1.4); 2) average – developing pre-arrival processing system for sea consignment, express consignment, land border consignment (Art 7.1); develop IT function to authorized economic operator, establish AEO strategy; 3) complicated – everything related to the use of the national budget of countries for the purchase of equipment and the creation of convenient electronic applications and the fight against corruption (Art 7.7; Art 10.4).

Since the implementation of the rules depends on their understanding, i.e. the specifics in the agreement itself and the provision of favourable financial conditions and political climate for their implementation, the RCEP is much more detailed than the ASEAN Agreement on Trade in Goods, in particular in the part of the release of goods (Article 4.11); advance rulings (Article 4.10); application of IT (Article 4.12); measures for authorized economic operators (Article 4.13) and Customs cooperation (Article 4.19). Hopefully, over the next 5 to 10 years tangible results could be seen. As for now, there is no sufficient feedback from businesses engaged in cross-border trade to understand their experiences with customs procedures and the impact of customs cooperation measures.

**An example of the practical application of the customs provisions of the RCEP.** Let's simulate the following situation: Thai manufacturer of electronic goods, consisting of components from country X and Thailand, wants to export goods to the Japanese market. The product manufacturer is aware of the RCEP agreement, but the details of the procedure are not known. Let's consider a specific plan of 3 main steps for obtaining a preferential tariff when exporting to the Japanese market. **Step 1** – you need to check whether the selected goods are covered by the preferential tariff. Such verification is possible by using the customs classifier according to the HS system. On the Japanese customs website, you need to open the Japan Tariff Schedule (Statistical Code for Import) attachment and select the latest version. In our case, this is the version from April 1, 2023 (*Japan's Tariff Schedule as of April 1 2023, 2023*). An important noticed detail is the long loading of the page, so you should wait for the table to load. At first, it appears that the table is empty, but this is a matter of loading data. Scrolling the table to the right, you will see tariff categories under the RCEP Agreement, but in different categories: ASEAN/Australia/New Zealand (RCEP), China (RCEP), and Korea (RCEP). Since Thailand is a member of ASEAN checking the tariff under the name “Motors of an output not exceeding 37.5 W. AC motors, single phase”. This is a product of customs code 8501.10 for which the import tariff is free. The absence of a tariff is good news for the Thai manufacturer, so he moves on to **step 2** – confirming that Thailand is the country of origin of the goods under the terms of the RCEP agreement. The product with the theoretical name Paradise Motor of an output not exceeding 37.5 W is neither a product completely produced in Thailand (Article 3.2 (a)) nor a product produced exclusively from originating materials (Article 3.2 (b)). After checking the Product-Specific Rules (Annex 3A) from the RCEP agreement, it was established that the following rules have been established for the product selected as part of the study under the conditions when a product produced with non-originating materials is treated as an originating good: change in tariff classification or regional value content 40 (*Product Specific Rules, 2023*). Since the product from components obtained from State X, namely plastic in the Kingdom of Thailand, has undergone a significant transformation and the Section of the customs code has been changed within the framework of the Agreement, the country of origin of the product is Thailand. **Step 3** – Compile and submit the necessary documentation for securing preferential tariff benefits to Japan Customs. This stage is at the same time the simplest since all the legal basis is already defined, but at the same time, inexperienced traders may have a delay in completing the documents. The trader should prepare the standard package of import declaration documentation (import declaration form, invoice, packing list, bill of lading) and declaration of origin prepared in the self-certification system. The question of which documents to prove the origin of the goods for the declaration is common. The documents that enable confirmation that goods have been wholly obtained or produced by a party to RCEP are contracts, manufacturing certificates, or fishery catch certificates. To satisfy the product-specific rule through a change in tariff classification following documents may be requested by customs: material lists, production orders, and manufacturing process reports.

---

**Benefits from RCEP implementation to non-member states.** According to Article 1.3. of the RCEP agreement, the objective of the initiative is to establish a modern, comprehensive, high-quality, and mutually beneficial economic partnership framework to facilitate the expansion of regional trade and investment. Nevertheless, there can be certain ways in which non-member countries i.a. Ukraine also indirectly benefits from these arrangements.

1) Non-member countries benefit tremendously from reforming the customs authorities of member states that adopt new national legislation, fight corruption, and install modern equipment at customs posts. Of course, direct benefits in the form of tariff reductions should not be expected, but the general process of customs clearance, document verification, and release of goods will be optimized for all countries of the world since at the technical level clearance will be carried out by the same customs administrations on the same new equipment obtained for the implementation of the reforms according to Chapter 4 of the RCEP.

2) Non-member countries can use the preferences granted by RCEP member countries to become more competitive in those markets. By meeting the rules of origin criteria, non-member countries can take advantage of lower tariffs within the FTA and potentially increase their exports to FTA member countries.

3) Non-member countries including Ukraine can engage in dialogue and cooperation with RCEP member countries through various channels, such as regional forums and economic partnerships. This can create opportunities for knowledge exchange, capacity-building, and potential future collaboration. Finally, Ukraine can learn from the provisions and experiences of RCEP to develop its trade policies and agreements.

**Conclusions and prospects for further research.** As of August 2023, there are 14 active members in RCEP, encompassing nine ASEAN states alongside China, Japan, South Korea, Australia, and New Zealand. The RCEP agreement serves as a platform for enhancing trade and economic cooperation among these participating nations. Notably, the Philippines recently ratified the agreement, signifying the culmination of commitments for all but Myanmar, which is still in the process. With harmonized customs procedures, traders from RCEP member states can expect consistent and predictable processes when crossing borders. This reduces administrative burdens and the need to adapt to different customs requirements, streamlining trade flows. As a result, the time and cost of importing and exporting goods between RCEP countries would decrease, making it easier for businesses to engage in cross-border trade. The analysis of the Customs and Trade Facilitation chapter within the Regional Comprehensive Economic Partnership agreement reveals a comprehensive framework designed to enhance trade and facilitate economic cooperation among the 14 member countries. This chapter, which is standard in Free Trade Agreements, amalgamates commitments from the World Trade Organization's Trade Facilitation Agreement and is influenced by the ASEAN+1 FTA agreement. RCEP is a qualitative improvement of already existing FTAs like ASEAN+1 or CPTPP. Additionally, RCEP for the first time introduces an FTA between China and Japan, Japan and New Zealand.

The primary objective of the CPTF chapter is to establish a level playing field for all member states while acknowledging their diverse circumstances. RCEP member countries aimed to improve trade transparency, engage in global and regional supply chains, and ensure consistent customs procedures.

Key provisions of the CPTF chapter include: Advance Rulings (*Members can request customs rulings on tariff classification, origin criteria, and customs valuation, providing clarity and predictability for traders*); Transparency; Release of Goods: (*Commitments to release goods within specific time frames, such as express shipments within 6 hours and all goods within 48 hours, optimize trade efficiency*); Paperless Trade (*Emphasis on adopting electronic formats for trade and customs documents aims to create a more efficient and cost-effective trading environment*); Authorized Operators Scheme; Express Consignments; Flexibility (*Some member countries have flexibility in implementing commitments due to varying levels of readiness (particularly least-developed countries like Laos, Myanmar, and Cambodia)*). A significant aspect is the concept of Regional Value Content and Certification. RCEP allows businesses to aggregate content from multiple member countries to meet RVC requirements.

Non-member countries, like Ukraine, can indirectly benefit from RCEP by learning from member countries' reforms, optimizing customs procedures, and engaging in dialogue and cooperation. Additionally, RCEP provisions offer insights for designing effective trade policies and agreements.

An illustrative example in this paper demonstrates the practical application of customs provisions in RCEP, guiding a Thai manufacturer through obtaining preferential tariffs for goods exported to Japan. This emphasizes the benefits of clarity, predictability, and streamlined processes. In conclusion, the

---

analysis underscores the significance of the CPTF chapter within the RCEP agreement, illustrating its potential to reshape trade dynamics, improve customs processes, and enhance economic collaboration among member countries.

### References:

1. Chapter 4 RCEP. (2021). RCEP. <https://rcepsec.org/wp-content/uploads/2020/11/Chapter-4.pdf>
2. Deineko, D. (2022). Legal aspects of application of rules of origin of goods in regional comprehensive economic partnership. Legal position Law Journal. <http://legalposition.umsf.in.ua/archive/2022/1/9.pdf>
3. Discussing What the RCEP Customs Procedures and Trade Facilitation Provisions Mean for Cambodian Business. (2022, June). [Video]. Economic Research Institute for ASEAN and East Asia. <https://www.eria.org/news-and-views/discussing-what-the-rcep-customs-procedures-and-trade-facilitation-provisions-mean-for-cambodian-business/>
4. Japan's Tariff Schedule as of April 1 2023. (2023). Customs of Japan. Retrieved August 2, 2023, from [https://www.customs.go.jp/english/tariff/2023\\_04\\_01/index.htm](https://www.customs.go.jp/english/tariff/2023_04_01/index.htm)
5. Product specific rules. (2023). Customs of Japan. Retrieved August 2, 2023, from [https://www.customs.go.jp/roo/english/text/rcep\\_en2.pdf](https://www.customs.go.jp/roo/english/text/rcep_en2.pdf)
6. RCEP highlights. (2022). MFA of New Zealand. <https://www.mfat.govt.nz/en/trade/free-trade-agreements/free-trade-agreements-in-force/regional-comprehensive-economic-partnership-rcep/rcep-overview>
7. RCEP Annex 4. (2022). RCEP Agreement. <https://rcepsec.org/wp-content/uploads/2020/11/Chapter-4-Annex-4A.pdf>
8. Rocamora, J. A. L. (2023). PH deposits RCEP ratification instrument; deal takes effect June. Philippine News Agency. <https://www.pna.gov.ph/articles/1200397>
9. Study on Tariffs: Analysis of the RCEP Tariff Liberalization Schedules. (2022b). APEC Policy Support Unit. [https://www.apec.org/docs/default-source/publications/2022/5/study-on-tariffs-analysis-of-the-rcep-tariff-liberalization-schedules/222\\_psu\\_study-on-tariffs\\_rcep.pdf?sfvrsn=cc3d60dd\\_2](https://www.apec.org/docs/default-source/publications/2022/5/study-on-tariffs-analysis-of-the-rcep-tariff-liberalization-schedules/222_psu_study-on-tariffs_rcep.pdf?sfvrsn=cc3d60dd_2)
10. The Regional Comprehensive Economic Partnership. (2022). Senate of Philippines. [https://legacy.senate.gov.ph/publications/SEPO/Policy%20Brief%20on%20RCEP\\_Final.pdf](https://legacy.senate.gov.ph/publications/SEPO/Policy%20Brief%20on%20RCEP_Final.pdf)
11. Zhang, G. (2022). A More Integrated Asian Economy under the RCEP. Upply. <https://market-insights.upply.com/en/a-more-integrated-asian-economy-under-the-rcep>

## СПРИЯННЯ ТРАНСКОРДОННІЙ ТОРГІВЛІ: ДОСЛІДЖЕННЯ МИТНИХ ЗАХОДІВ В РАМКАХ ВРЕП

**Дмитро ДЕЙНЕКО,**

*аспірант кафедри міжнародного права*

*Інституту міжнародних відносин*

*Київського національного університету імені Тараса Шевченка;*

*Консульська посадова особа Посольства України в Королівстві Таїланд*

*[dmytro.deineko@mfa.gov.ua](mailto:dmytro.deineko@mfa.gov.ua)*

*[orcid.org/0000-0002-0373-7097](https://orcid.org/0000-0002-0373-7097)*

*Угода про всебічне регіональне економічне партнерство (ВРЕП), яка набула чинності від 1 січня 2022, безумовно викликала широкий інтерес оскільки вважається найбільшим торговельним блоком у світі. Відповідно до статті 1.3(Б) Угода спрямована сприяти торгівлі між державами учасницями (країни члени АСЕАН, Японія, Республіка Корея, Австралія, Нова Зеландія та Китай) шляхом усунення тарифних та нетарифних бар'єрів у торгівлі. Зважаючи на недостатнє наукове дослідження митних положень угоди та подекуди відсутність інформації як застосовується певне правило на практиці було вирішено дослідити наступні питання: новели ВРЕП у зобов'язаннях держав у митній сфері в порівнянні з стандартним ЗВТ; яким чином постачальник оформлює товар та як митниця здійснює розмитнення товару; які спрощення передбачено у підготовці документації для пересування товарів через кордон; автором змодельована ситуацію міждержавної торгівлі з Японією для кращого покрокового розуміння які дії має вчити постачальник. Наостанок було розглянуто переваги для країн які не є членами ВРЕП, але отримують переваги від проведення митних реформ та цифровізації митних послуг. У роботі автор використовує теоретичний та емпіричні методи. У частинах дослідження автор приводить приклади практичного застосування положень та використовує моделювання ситуації. Основна мета митного розділу Угоди полягає в тому, щоб створити спрощену систему торгівлі для всіх 14 країн-членів, враховуючи їхні індивідуальні обставини.*

---

*Головним завданням держав-членів ВРЕП є посилення прозорості торгівлі, посилення участі в глобальних і регіональних ланцюжках постачання і забезпечення єдиних митних процедур. Важливі аспекти охоплюють запровадження попередніх рішень, ініціативи щодо без паперової торгівлі, схеми авторизованих операторів та визначені часові рамки для митних процедур. Виконання митного розділу угоди контролюється митними адміністраціями в кожній державі окремо, але враховано відмінності в економічному розвитку країн – організовано гнучкість у виконанні зобов'язань. Країни, які не є членами, прикладом яких є Україна, можуть опосередковано отримати вигоду від ВРЕП, яка полягає у результатах проведення митних реформ, цифровізації, боротьби з упередженням на митниці у державах-членах Угоди.*

**Ключові слова:** ВРЕП, АСЕАН, митне право, сприяння торгівлі, сертифікація, попередні рішення, митне оформлення товарів.