



### **Customs Cooperation Committee**

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**"Development of intelligence system**  
**at Customs service of the Kyrgyz Republic "**

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From the moment of creation of the State customs inspection in 1991, functions of struggle against smuggling and infringements of customs rules were assigned to various customs bodies which staff structure has undergone a number of changes. According to the affirmed by the Government of the Kyrgyz Republic plan on reforming and modernization of customs service, in 2001 in the Central Office of the State customs inspection at the Ministry of Finance of the Kyrgyz Republic there was established a Department on combating smuggling and infringements of customs rules with staffing of 20 employees\officers which structure composes the following divisions: Division on struggle against smuggling drugs, Division on struggle against smuggling and infringements of customs rules, Operating & technical group, Division on investigation of infringements of customs rules and the National communication center on law-enforcement work. The primary goal of the Department is revealing and prevention of the facts of illegal moving through customs border of the Kyrgyz Republic of drugs, goods and vehicles.

The significant part of the revealed infringements of customs rules at trafficking of goods is carried out on means of the analysis of the databases coming from customs authorities of the CIS countries and distant foreign countries. The difficulties encountered on the way of setting up a degree of risk, is likely to pertain the following:

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- Absence of due interaction between customs bodies of the Kyrgyz Republic, the CIS and distant foreign countries, in the field of information exchange and rendering of practical help in sphere of illegal moving of goods;
- Much spending of time (over 2 months) on reception of answers to the inquiries concerned;
- Presence of disagreements/contradictions of the Customs Code of the Kyrgyz Republic and the corresponding acts of other countries;
- Absence in the Kyrgyz Republic of the coordinating body capable to decide operatively a problem (task) of interaction between customs bodies of the states for minimizing common risks;
- Duplication of functions of struggle against smuggling by other enforcement structures that result in falling down a performance\decrease of productivity and by that to increase a degree of risk.

Traditional methods of checking of each good for legality of its moving through customs border of the Kyrgyz Republic is getting a barrier not only for trade, but also for risks management, including profiling and making a random control/selectivity of the control, application of examining and *ad hoc* equipment and subsequent development of intelligence system enabling to stop timely illegal trafficking of goods with high and average level of risk.

For minimization of common risks, customs services should work together, that is dictated by spirits of the time, as well as by international contracts under which the membership countries have some certain obligations. Struggle against smuggling and drugs business at the time being bears/acquires international character, and accordingly, demands consolidation of common efforts in this direction, modern technologies including use at information interchange, development and improving of the appropriate databases, professional development of staff at divisions of customs authorities which functions include struggle against illegal trafficking of goods.

At the first stage of risk assessment it is enough to solve the problem of unobstructed provision of information on any questions of interest to customs bodies of the countries - participants. The questions of revising/making amendments and addendums of the corresponding acts are also subject to their solution. So, for example, in the Kyrgyz Republic the Customs Code and the Code about administrative offences which substantive provisions are harmonized with the Constitution of the Kyrgyz Republic, as well as according to the positions of Kyoto Convention are now reconsidered. Adoption of a new edition of the given statutory acts is planned for September - October 2003. In particular, the questions of confiscation of cargoes will be solved only through judicial bodies. All clauses (articles) concerning the law-

enforcement block, are withdrawn from the Customs Code and transferred in the Code about administrative offences.

Based on foregoing, we reckon that there has occurred a necessity for creation of intelligence system at regional and inter-regional level. Creation of the given structure will allow solving operatively the following questions at regional and inter-regional level:

- Duly information provision of customs bodies of the countries - participants in questions of illegal circulation of drugs and smuggling of goods;
- Increase of efficiency of struggle against illegal moving of goods and reduction of risk degree;
- Consolidation of forces and means of customs bodies under managing and methodological role of a single coordinating body of the state;
- Capacity of risks management and as consequence reduction of time for customs clearing of goods by selectivity of the control.

All above-stated measures will promote improving of practice of public programs raising self-control of a private sector at moving of goods. The control of the moved goods will be also improved, that will finally result in increasing of an overall performance of customs bodies regarding the tasks assigned to them and will be finally one of guarantors of economic safety of the state and its promotion to creation of civilized interstate relations.