



ISSUES OF IMPROVING THE INSTITUTION OF AUTHORIZED ECONOMIC OPERATOR IN THE REPUBLIC OF UZBEKISTAN

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Abstract

The country is taking systemic measures to improve customs administration and increase the efficiency of the state customs service of the Republic of Uzbekistan, as well as to further simplify customs procedures. In particular, the institution of authorized economic operators has been introduced, which grants the right to use simplified customs procedures to participants in fair foreign economic activity that meet the requirements established by international standards in the field of customs administration. This article examines the specifics of the functioning and legal regulation of the institution of an authorized economic operator in customs control to further simplify customs procedures, increase the efficiency of customs authorities, as well as eliminate bureaucratic barriers to business development and improve the investment climate in the country. The experience of developed countries in the practice of using the institution of authorized economic operators has been studied and the existing problems and ways of solving them in the Republic of Uzbekistan have been analyzed.

Keywords: Kyoto Convention, Framework Standards, World Customs Organization, Authorized Economic Operator, Special Simplifications, Customs Administration.

Introduction

Currently, completely new approaches to the customs administration system are being formed in our country: instead of blanket control, a risk management system, promising customs technologies, and partnerships with law-abiding businesses are being actively used.



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Based on the requirements of international standards in the field of customs administration, the institution of authorized economic operators has been introduced in our country, which provides for the right to use simplified customs procedures for honest participants in foreign economic activity. The introduction of this institution was prompted by global changes aimed at simplifying and improving customs administration in the international arena.

If we look at the history of the above global changes, starting from the 70s of the last century, for many years, customs authorities began to pay great attention to ensuring security within the context of international trade. Since then, a number of special programs have been developed aimed at strengthening these goals. The AEO concept is part of these programs. Therefore, in 2005, the World Customs Organization developed separate security standards for AEO.

As part of the AEO program, customs authorities must provide a number of benefits to organizations that have received this status. Section II of Standard 6 of the WCO Standard Guidelines is aimed at supporting cooperation between customs authorities and traders in order to ensure the highest level of security and simplification. However, this standard gives priority to security rather than simplification, which creates a certain dilemma. In this regard, the World Customs Organization has developed specific AEO guidelines (presented in Chapter 5 on the WCO Security Standards), as well as a "Benefits Plan" for AEOs. These benefits include a reduction in the number of inspections and priority in conducting inspections of TIF participants, mutual recognition of foreign economic cooperation programs, simplification of security and warranty requirements, faster release of goods, as well as pre-registration, simplified procedures, first-class service in emergency situations and other benefits.

According to the definition in the WTO Hadley standards, an Authorized Economic Operator (AEO) is any legal entity involved in the international movement of goods and recognized by or on behalf of a national customs authority as complying with WTO security standards or a similar delivery system.

In accordance with our national legislation, legal entities that meet the relevant requirements established by law may obtain the status of an authorized economic operator. The procedure for obtaining the status of an authorized economic



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operator, the selection criteria for inclusion in the Register of Authorized Economic Operators, and the list of special simplified customs procedures performed by an authorized economic operator are determined by the Cabinet of Ministers of the Republic of Uzbekistan. The Customs Committee of the Republic of Uzbekistan maintains the Register of Authorized Economic Operators and ensures that it is posted on its official website and updated at least monthly.

The organizational and legal framework for the activities of an authorized economic operator is reflected in the Resolutions of the Cabinet of Ministers of the Republic of Uzbekistan No. 363 dated April 29, 2019 "On measures to introduce the institution of an authorized economic operator" and No. 500 dated August 24, 2020 "On approval of the Regulation on authorized economic operators".

According to the legislation, 3 types of certificates are issued to business entities that have fulfilled the established requirements. Along with participants in foreign economic activity, customs brokers, owners of customs warehouses and carriers are also entitled to receive this status. Since 2019, a total of 134 statuses have been issued, of which 32 have been suspended, 4 are temporarily suspended and 98 are active. Agreements on mutual recognition of authorized economic operators of other countries have currently been signed with China, Russia, Belarus and Azerbaijan. Negotiations are ongoing with Iran, Tajikistan, Kyrgyzstan and Kazakhstan.

As of 2025, 21,100 customs cargo declarations were processed in a priority and simplified manner, of which 10,550 (50%) fell under the green lane, 9,824 (44%) under the yellow lane, and 1,266 (6%) under the red lane. As of 10 months of 2025, the opportunity to pay customs duties in installments of more than 800 billion soums was provided. Status holders were allowed to directly unload 1,620 batches of goods worth more than \$85 million into their warehouses without customs duties, which saved about 5.5 billion soums. Since 2019, a total of 235 applications have been received by customs authorities, of which 134 were included in the register, and the remaining 101 applications were rejected as not being based on legislative requirements. In terms of regions, 58 of the 98 authorized economic operators are in Tashkent.



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Currently, the procedures related to the institution of authorized economic operators are being further simplified. It is expected that the amendments to the legislation will provide them with a number of reliefs not only in the customs system, but also in other bodies.

Conclusion and suggestions. In addition to the above advantages, we believe that some changes should be made to the existing procedures. In particular:

We consider it appropriate to remove the following positions from the norm set out in paragraph 5 of paragraph 24 of Chapter 8 of the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 500 dated August 24, 2020 "On Approval of the Regulation on Authorized Economic Operators": "When a court decision on bringing the head, chief accountant and authorized person of the operator to administrative liability for violations provided for in Articles 171, 1711, 174, 175, 176, 177 and 227-22721, the first part of Article 22722, Articles 22723-22727 of the Code of the Republic of Uzbekistan on Administrative Responsibility enters into force twice or more times within one year":

Article 176 "illegal entrepreneurial activity", as this article applies more to individuals who carry out activities without registering as a business entity; Certain articles of the Administrative Code of the Republic of Uzbekistan in the section on violations of customs legislation, in particular: Articles 227-6 "Moving a ship or other floating vessel under customs control", Articles 227-20 "Transporting goods across the customs border of the Republic of Uzbekistan under the guise of goods for non-commercial purposes", since this article is used in relation to the personal transportation of goods by individuals.

We consider it appropriate to remove the following positions from the norm stating: "When a criminal case is initiated against the head or chief accountant of the operator or an authorized person for committing crimes provided for in Articles 175, 182, 184, 188, 189, 209, 228 and 246 of the Criminal Code of the Republic of Uzbekistan":

Article 189 of the Criminal Code of the Republic of Uzbekistan "violation of the rules of trade or provision of services" is more relevant to the domestic market of trade and services of business entities;



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Article 209 of the Criminal Code of the Republic of Uzbekistan "falsification of official authority", since the provisions of this article apply to state bodies not related to foreign economic and commercial activities;

We propose to supplement this paragraph with Article 186-3 of the Criminal Code of the Republic of Uzbekistan "Production, preparation, purchase, storage, transportation for the purpose of sale or sale of substandard or counterfeit medicines or medical devices" - the most relevant article related to foreign economic and commercial activities at the moment.

In Chapter 4, paragraph 10, which provides criteria for inclusion in the register, the norm stating that "a responsible employee of a legal entity must complete a training program on customs matters for participants in foreign economic activity established by customs authorities or organizations recognized by them" should be supplemented with the following sentences: "An employee of a legal entity must complete a training program on customs clearance approved by the Customs Committee, pass a mandatory exam, and receive a certificate of the type established by the Customs Committee or organizations recognized by them for participants in foreign economic activity."

The above proposals will serve to improve customs administration in the future and increase the efficiency of the activities of the State Customs Service of the Republic of Uzbekistan, further simplify customs procedures, as well as eliminate bureaucratic obstacles to business development and improve the investment climate in the country.

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