

Problems of Unification of Professional Standards in the Field of Customs: National and International Component

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Abstract—Establishing general objectives and functions of customs bodies, the Customs Code of the EAEU determines that rights and duties of customs bodies are established by legislations of State Members of the EAEU (art. 351 of the Customs Code of the EAEU). Thus, each State Member establishes independently qualification requirements for customs bodies officials. Revealed factor stands in contrast to modern tendencies of integration of customs bodies in the framework of the World Customs Organization. To resolve identified contradictions and reach unity in describing job requirements for customs staff, it is proposed to rely on PICARD standards. Thereby, according to the Development Package of the Federal Customs Service of the Russian Federation Until 2020, Reference of Qualification Requirements for Professions, Fields of Study, Knowledge and Skills Necessary for the Job of State Civil Service Based on the Field and Type of Occupational Activity of State Civil Service Officials was developed in 2017. Content analysis shows that structurally the Reference is harmonized with the international standards of PICARD and also makes demands on professional training of customs managers in three major areas: general requirements for knowledge; general requirements for skills; general requirements for behavior. Unification of legislation in the field of organization and management of customs bodies is a “step forward” for the EAEU. This process implies long time for complete unification, but without harmonizing of main customs laws the differences between procedures on national levels can cause conflict, reduced effectiveness of the EAEU and distrust between countries which prevents countries from achieving common goals.

Keywords—*Customs, professional standards, PICARD professional standard, customs officials.*

I. INTRODUCTION

According to the Development Strategy of the Customs Service of the Russian Federation until 2020, the main strategic focus is maintaining economic security in the field of foreign economic activity of the Russian Federation and facilitating foreign trade [3]. The policy document defines “enhancing staff capacity” as one of the factors for resource support of targeted indicators.

Today customs officials are more than just customs experts. In response to the processes of globalization and modernization of economy the requirements for knowledge, skills and exper-

ience increased greatly. Now this job requires deeper understanding of economic policy of countries participating in foreign economic and trade activities [5].

II. RELEVANCE, SCIENTIFIC SIGNIFICANCE OF THE ISSUE WITH A BRIEF OVERVIEW OF THE LITERATURE

In the early 21st century an increased responsibility was placed on the customs service because of rapid growth of international trade and the rise of organized crime and terrorism. Nowadays FCS conduct effective customs control for ensuring economic security of their countries [5]. For example, the Customs Code of the EAEU which came into effect on 1 January 2018 defines the functional tasks of customs bodies (Art. 351 of the Customs Code of the EAEU).

When establishing general objectives and functions of customs bodies, the Customs Code of the EAEU determines that rights and duties of customs bodies are established by legislations of the EAEU Member States (Art. 351 of the Customs Code of the EAEU). The documents of the national legislation include:

Federal Law "On Customs Regulation in the Russian Federation" dated 27.11.2010 N 311-FZ;

The Law of the Republic of Armenia of December dated 17, 2014 "On Customs Regulation";

Law of the Republic of Belarus "On Customs Regulation" dated 129-3 of 10.01.2014;

The Code of the Republic of Kazakhstan dated December 26, 2017 No. 123-VI "On Customs Regulation in the Republic of Kazakhstan";

Law of the Kyrgyz Republic No. 184 dated December 31, 2014 "On Customs Regulation in the Kyrgyz Republic" (as amended by Law No. 99 dated 06.06.2017).

Thus, each of Member States establishes qualification requirements for customs officials independently. Revealed factor is contrary to modern tendencies of integration of customs bodies into WCO system. Unification of legislation in the field of organization and management of customs bodies is a “step forward” for the EAEU. It’s a long-term process but without

harmonizing of main customs laws the differences between procedures on national levels can cause conflicts, reduced effectiveness of the EAEU and mistrust among states which prevents countries from achieving common goals [4].

III. PROBLEM STATEMENT

According to official data of the FCS of Russia, about half of customs officials (47%) have education which is not directly related to performance on the job. Besides, among 53% of customs officials who have a university degree only 3% have customs education, the other 50% have university degrees in Law (24%) and Economics (26%) [9]. In respect to the presented data on educational potential of customs officials, the targeted indicators of the Integrated Program of the development of FCS of Russia until 2020 seem well-founded. According to the Program, percentage of the customs officials who got supplementary vocational education should amount to 33,6% among the total number of customs officials by 2020 [4].

Targeted indicators for enhancing staff capacity are also harmonized with international tendencies. Therefore, in 2005 Partnership in Customs Academic Research and Development (PICARD) was initiated, resulting in PICARD professional standard. It was developed for obtaining three key goals [5]:

- development of criteria for job descriptions in staffing the Customs service
- development of criteria for evaluation of local training level
- development of standards for evaluating the level of developed or acquired educational programs. To address the identified contradictions and to achieve consensus in job requirements for customs staff, it is proposed to focus on PICARD standards.

IV. THEORETICAL PART

One of the main tasks of the World Customs Organization is "support in creation and development of modern effective multifunctional customs services in all countries of the world". The developed PICARD standard serves this challenge.

It should also be noted that national customs regulations of the Russian Federation contain legal acts which help solve the problem of improving the system of training and development of staff for the customs, increasing the effectiveness of its functionality and performance with respect to international tendencies in this field. Thereby, according to the Integrated Program of the development of the Federal Customs Service of the Russian Federation until 2020, the Handbook for Job Description, Training Areas, Knowledge and Skills necessary for the Job of State Civil servant was developed in 2017.

Content analysis showed that structurally the Handbook is harmonized with the international standards of PICARD and

requires professional training of customs managers in three key areas: general requirements for knowledge; general requirements for skills; general requirements to behavior [5].

Since the staff of customs bodies of the Russian Federation includes the customs officials, federal state civil servants of customs bodies, public-sector employees (Federal law of 30 June 2002, No.79-FZ), it is necessary to limit the study of the problem of professional standards to one category.

A number of studies conducted in the field of the economic theory of customs clearly show that economic activity is one of the main activities of customs bodies in general [7,8]. This makes it possible to limit the object of research to the economic activity of customs undertaken by federal state civil servants of customs bodies. Another argument for choosing this category of staff for research is above mentioned Handbook [6] as a document containing the most complete Job Description for positions of State Civil Service and the Federal law No.79 (taking into account the changes dated 30 June 2016) currently provides these requirements. The Federal law No.79 was amended by the Federal law No.122-FZ of 2 May 2015 (which came into effect on 1 June 2016) concerning the application of professional standards setting out requirements for specialists in a specified job.

V. PRACTICAL SIGNIFICANCE

National legislation of the Russian Federation in the field of social and labor relations sufficiently takes into account modern tendencies influencing organization and management activity of the customs service and need to be included while developing a unified professional standard for customs officials (Fig. 1). To develop recommendations on the formation of qualification requirements in the professional standard of federal state civil servants of customs bodies, it is necessary to focus on the methodology for developing professional standards approved by the Decree of the Russian Government No. 23 dated January 22, 2013 [10].

The logic of the development process of a professional standard contains the following:

Goal: to move from the description of day-to-day work (what to do) to the description of the requirements for customs officials performing this activity (what to know and be able to);

Tool: the method of functional analysis;

Basis: an analysis of professional activities to determine the requirements for the performance of labor functions;

Form of analysis: surveys and questionnaires of customs officials at various levels of the organizational hierarchy;

Result: a functional map of each area of professional activity of customs officials (Fig 2).

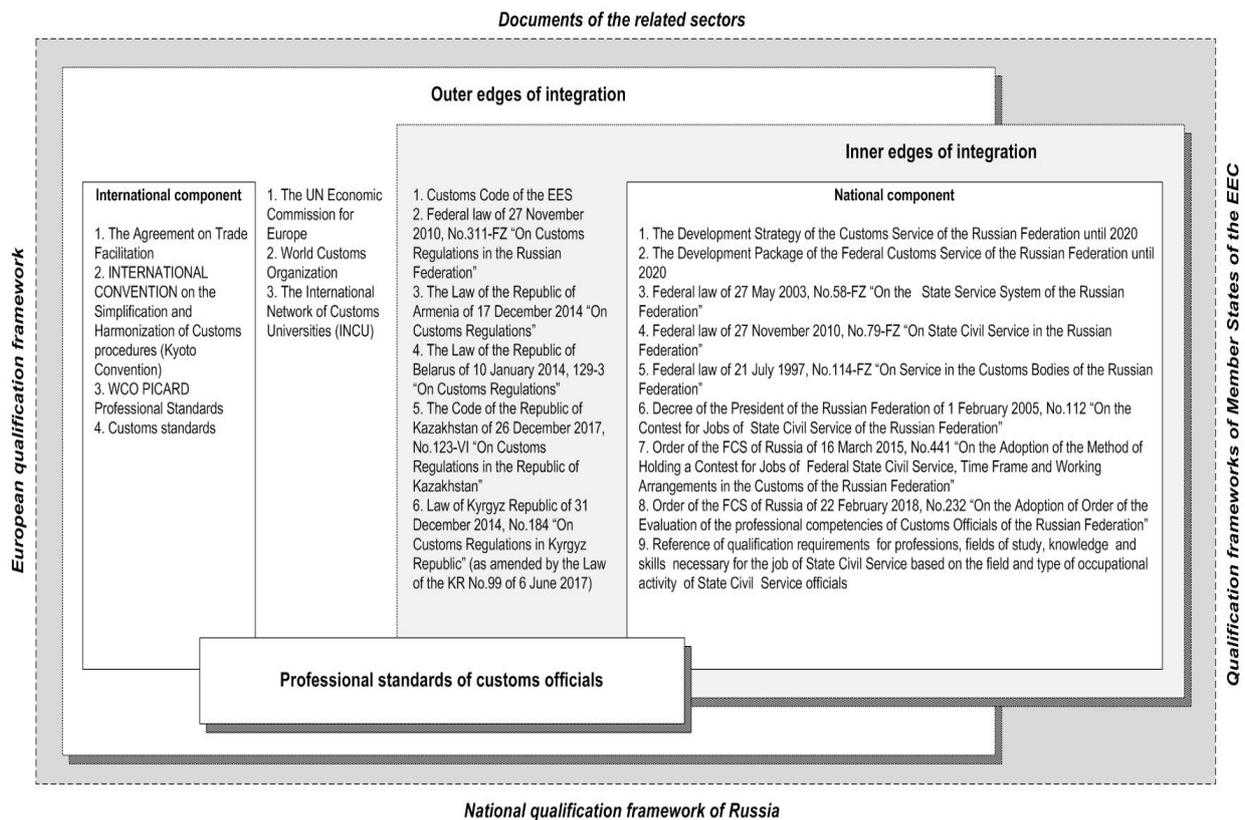


Fig. 1. The legal field of unification of professional standards in the customs service.

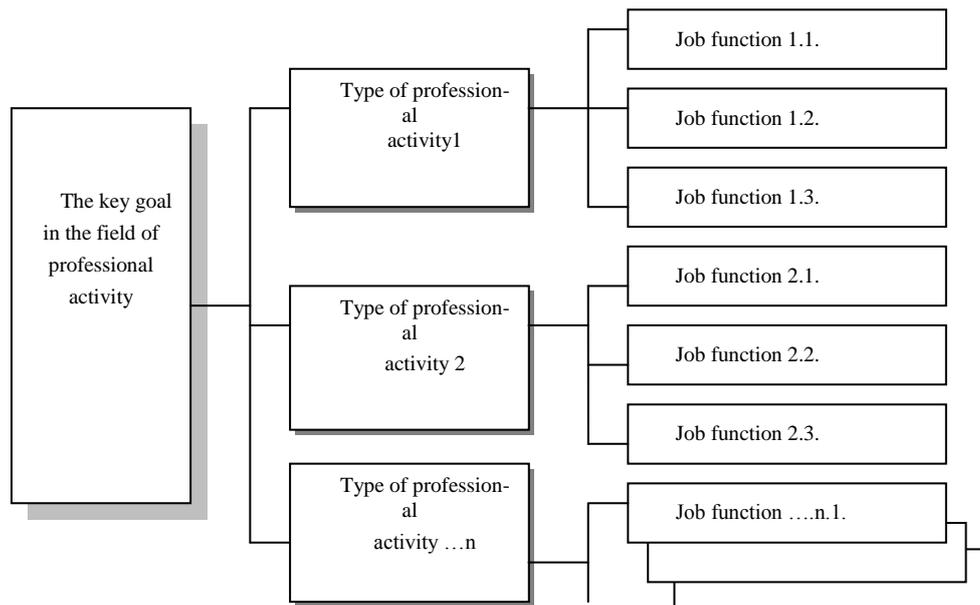


Fig. 2. Functional map of professional activities of federal state civil servants of customs bodies.

It is fundamentally important for every EAEU Member State to conduct detailed examination of national regulations in the field of standard-setting of qualification requirements for customs officials.

At the stage of formulating the main objective in the field of professional activity of customs officials in the functional

map, it is necessary to conduct a content analysis of the national legislation of each of the EAEC Member States, draw up a list of areas of professional activity and their purposes.

VI. CONCLUSIONS

Functioning of the customs service system is ensured by external and internal factors [7]. The study made it possible to

systematize normative documents of international, national and supranational levels which determine modern directions and requirements for work of customs officials. The list is not exhaustive and will be refined in future researches.

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