

## CRITERIA AND ALGORITHM FOR RISK MANAGEMENT IN NON-TARIFF REGULATION OF FOREIGN TRADE

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### ABSTRACT

*The article is a logical development of the authors' early studies, which considered the task of reengineering the process of organizing customs control of foreign trade operations, in the context of an ongoing global pandemic and the urgent need to provide food products to the population. The methodology of information modeling of the process of interaction of authorized state management bodies and remote non-tariff regulation of foreign economic activity is investigated. The concept of a unified application form for customs clearance of goods using the information matrix, aimed at risk management to ensure the completeness of the certification of foreign trade goods is proposed. A mathematical model has been developed for three classes of risk profiles of non-tariff regulation of foreign economic activity associated with countries or individual territories (regions) of the world, with international carriers and with foreign trade goods. An algorithm for managing customs risks at checkpoints across the customs border and recommendations for the development of the customs information system "Single Window" are given.*

**KEYWORDS:** *Customs Control, Non-Tariff Regulation Of Foreign Economic Activity, Information Modeling, Information Matrix, Risk Management Algorithm, Customs System "Single Window".*

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### INTRODUCTION

Ongoing restrictive measures of the global pandemic on the one hand the urgent need to cover the needs of the population for food products on the other hand, require improvement of methods and means of state regulation of foreign trade, forced to search for optimal forms and mechanisms of implementation of control functions.

The task of organizing customs control at checkpoints across the customs border is one of the most important and, perhaps, the most time-consuming stage in the process of managing foreign

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trade. According to the authors of [1] Afonin, P. N., Afonin, D. N., Mutte, G. E. and Kondrashova V. A. (2012), this process, along with customs authorities, involves a number of ministries and departments: transport, veterinary, phytosanitary, sanitary and epidemiological control and other authorized bodies.

The ongoing global pandemic prevents participants in foreign economic activity (FEA) from contacting representatives of these institutions and resolving issues related to the certification of goods directly in contact.

On the other hand, the urgent need to cover the needs of the population for food products requires removing unnecessary queues of foreign trade goods at the border and moving to the organization of selective control using a risk management system (RMS).

Against this background, the Risk Management System (RMS) and the Customs Information System (CIS) "Single Window" of the customs authorities of the Republic of Uzbekistan introduced in 2019 have shown their effectiveness. In particular:

a) As a result of the introduction of the RMS in the activities of customs authorities, 83.8% of foreign trade goods for exports and 73.8% of foreign trade goods for imports were transferred to a simplified control regime. Because of this, the time of customs clearance of goods was reduced by 1.7 times for export, 1.4 times for import operations.

b) As a result of the introduction of the CIS "Single Window" in the activities of customs authorities in 2019 8461 units, in 2020 563657 units, in 2021 566826 units certificates and permits are provided remotely and without direct contact with participants in foreign trade. On the day of preparation of this work, 12 authorized bodies were integrated into the CIS "Single Window" and more than 52900 participants of foreign economic activity were registered in the system, 98% of certificates and permits are provided remotely.

At the same time, the study of the results of the effectiveness of the use of these systems in the activities of customs authorities showed that there are certain areas that require improvement.

For example, CIS "Single Window" is not involved in the organization of customs control at checkpoints across the customs border. In addition, the RMS knowledge base lacks risk models related to non-tariff regulation of foreign trade at customs border checkpoints. In particular, it is necessary to model the risks of phytosanitary, environmental, veterinary and other types of foreign trade control.

In light of the above, the problem of investigating risk management models and algorithms at customs border checkpoints, taking into account the requirements of non-tariff regulation of foreign trade, is relevant.

## **1. Statement of the Problem**

Technical barriers of foreign trade in the form of phytosanitary, ecological veterinary, sanitary-epidemiological, and other types of control belong to non-tariff methods for regulating foreign economic activity. They contribute to the development of the domestic economy and ensure economic security by streamlining the entry of certain goods into the domestic market of the country. According to studies by Drobot, E.V., Ivko, E.S. (2018), the use by countries of such a category of protective measures in trade as non-tariff does not contradict the norms and rules of the World Trade Organization [2].

Non-tariff measures of regulation of foreign trade impose certain tasks on the customs authorities, which are associated with the organization of close cooperation with other regulatory authorities. For example, the purpose of sanitary and epidemiological control at the border is necessary to prevent the international spread of diseases, to control and ensure the response of health to public health risks. However, the main requirement for the organization of customs control at customs border checkpoints, in the context of the ongoing global pandemic and the urgent need to provide food products to the population, is to exclude unnecessary interference in international transportation and trade.

When it comes to selective control and risk management, it must be taken into account that the risks in any system, first of all, must be identified. The main requirement for risk management is the completeness of the list of possible risks. For example, to ensure the completeness of the list of possible risks of sanitary and epidemiological control, the authors of work [3] cite 9 types of such risks, and to ensure the completeness of the list of possible risks of phytosanitary control, the authors of work [6] cite 8 types of such risks.

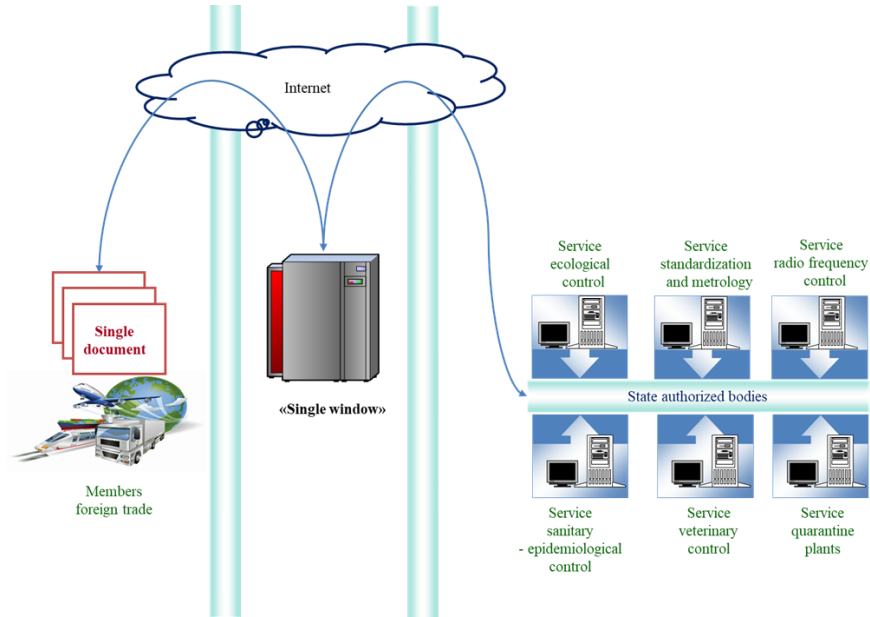
However, the technical barriers of non-tariff methods of regulating foreign trade are not limited only to sanitary-epidemiological or phytosanitary control. According to the national legislation of the Republic of Uzbekistan, 18 authorized bodies are involved in this process: the UzStandart Agency, the State Plant Quarantine Inspectorate under the Cabinet of Ministers of the Republic of Uzbekistan, the State Committee for Veterinary Medicine and Livestock Development, the State Committee for Ecology and Environmental Protection, etc. They are entrusted with 39 areas of control and the issuance of relevant certificates.

The problem lies in modeling the risks of non-tariff regulation of foreign trade and developing algorithms for their management.

## **2. Problem Solving Concept**

According to the Recommendations No. 33 of the UNECE through the Center for Trade Facilitation and Electronic Business (UN/CEFACT, Geneva, 2005), the conceptual approach to solving the above problem is the "Single Window" mechanism, which allows parties involved in foreign trade transactions to submit standardized information and documents using a single data transmission channel [4]. This mechanism implies remote customs clearance of foreign trade goods, by providing preliminary information to regulatory authorities in electronic format only once (fig.1.)

It should be noted that according to the national legislation of the Republic of Uzbekistan, each authorized control body has its own peculiarities to the certification of foreign trade goods and, therefore, different requirements for the provided list of documents. This factor does not allow the full implementation of the Single Window mechanism by providing preliminary information to regulatory authorities in electronic format only once. For the implementation of the "Single Window" mechanism, an important factor is the development of a single package of documents, a single application form for customs clearance of goods and ensuring the completeness of their certification.



**Fig. 1. Mechanism for interaction of customs authorities with state authorized bodies through the "Single Window"**

(Source: Authoring Developments)

Based on the above, the authors of work [7] propose a single form of document - an application for customs clearance of goods, which includes at least the following information:

1. Unique number of the application for customs clearance of goods;
2. Goods code;
3. Name of goods;
4. Country of origin;
5. Country of departure;
6. Trading country;
7. Recipient of the goods;
8. The sender of the goods;
9. Quantity of goods;
10. The weight of the goods;
11. Cost of goods;
12. Carrier;
13. Country of transit;
14. Applicant.

The proposed unified form of the document - application form for customs clearance of goods reflects a kind of simplified version of the cargo customs declaration [5]. For the submission of a single application form is sufficient information that is available in the invoice or shipping

document of foreign trade. Due to the fact that during one year the customs authorities of the Republic of Uzbekistan receive several million applications for customs clearance of goods, the formalized data of the single application form gets the form of a multidimensional matrix, each element, which is an information variable  $z_{nml}$  and reflects the value of one application parameter.

$$Z = \begin{matrix} & \begin{matrix} z_{11L} & z_{12L} & \dots & z_{1ML} \\ \dots & \dots & \dots & \dots \\ z_{111} & z_{121} & \dots & z_{1M1} \end{matrix} \\ \begin{matrix} z_{111} & z_{121} & \dots & z_{1M1} \\ z_{211} & z_{221} & \dots & z_{2M1} \\ \dots & & & \\ z_{1411} & z_{1421} & \dots & z_{14M1} \end{matrix} & \end{matrix}$$

(1)

Here:

$L$  is the total number of applications for customs clearance of goods received during one calendar year.

$M$  - the number of detail elements of each request parameter.

The matrix (1) reflects the information of the application for customs clearance of goods submitted during one year to the customs authorities and is an information matrix. Research by some of the authors of this paper shows that each element of matrix (1) is an information variable [6].

The totality of data (1) and the Single Window mechanism of customs authorities is an information model of the process of remote certification of goods and is considered as a conceptual platform for solving the problem of introducing a system of risk management of non-tariff regulation of foreign trade at checkpoints across the customs border.

### 3. Implementation of the Concept

The methodology for implementing the above conceptual platform is based on the formation of risk profiles for non-tariff regulation of foreign trade. The analyses carried out by the authors (2021) of this work show that they are mainly related [7]:

- With countries or certain territories (regions);
- With international carriers;
- With goods subject to appropriate certification.

a) Models of risk profiles of non-tariff regulation of foreign trade, associated with countries or certain territories (areas)

Exploring the risk profiles of sanitary and epidemiological well-being, in [7] its model is proposed in the form of the following information matrix:

$$R^c = \left\{ \begin{matrix} r_{11}^c & r_{12}^c & \dots & r_{1N}^c \\ r_{21}^c & r_{22}^c & \dots & r_{2N}^c \\ \dots & \dots & \dots & \dots \\ r_{2501}^c & r_{2502}^c & \dots & r_{250N}^c \end{matrix} \right\} \quad (2)$$

where:

$r_{i1}^c$  – numerical code of the i-th country, in accordance with the international standard ISO 3166;

$r_{in}^c$  – are defined as follows:

$$r_{in}^c = \begin{cases} 1, & \text{if a focus of infection is recorded} \\ & \text{on the territory of the } i - \text{country;} \\ 0, & \text{otherwise} \end{cases} \quad (3)$$

$n$  – the number of risk profiles for the sanitary and epidemiological well-being of the population,  $n=2,3,\dots,N$ ;

$i=\overline{1,250}$ .

$c$  – The upper index means that these risk profiles refer to countries or certain territories (districts).

Information matrix (2) and formula (3) represents a model of risk profiles of sanitary-epidemiological well-being of the population of the country, associated with countries or certain territories (areas).

However, the authors of this work are faced with the task of modeling risk profiles not only for the sanitary and epidemiological well-being of the country's population, but also for the entire spectrum of control of technical barriers of non-tariff methods of foreign trade regulation. If we take into account the fact that 18 authorized bodies are involved in this process in the Republic of Uzbekistan and 39 areas of control are assigned to them, then in place of (3) and (4) we get.

$$R^c = \begin{matrix} & \begin{matrix} r_{1139}^c & r_{1239}^c & \dots & r_{1N39}^c \\ \dots & \dots & \dots & \dots \end{matrix} \\ \begin{matrix} r_{111}^c & r_{121}^c & \dots & r_{1N1}^c \\ r_{211}^c & r_{221}^c & \dots & r_{2N1}^c \\ \dots & \dots & \dots & \dots \\ r_{25011}^c & r_{25021}^c & \dots & r_{250N1}^c \end{matrix} & \begin{matrix} r_{111}^c & r_{121}^c & \dots & r_{1N1}^c \\ r_{211}^c & r_{221}^c & \dots & r_{2N1}^c \\ \dots & \dots & \dots & \dots \\ r_{25011}^c & r_{25021}^c & \dots & r_{250N1}^c \end{matrix} \end{matrix}$$

(4)

where:

$r_{i1k}^c$  – numerical code of the i-th country, in accordance with the international standard ISO 3166;

$r_{i n k}^c$  – are defined as follows:

$$r_{i n k}^c = \begin{cases} 1, & \text{if a risk with the code number } n \text{ is recorded} \\ & \text{in the territory of the } i - \text{country} \\ 0, & \text{otherwise} \end{cases} \quad (5)$$

$n$  - code number of the risk profile of non-tariff regulation of foreign trade associated with countries or individual territories (areas),  $n=2,3,\dots,N$ ;

$i=\overline{1,250}$ ;

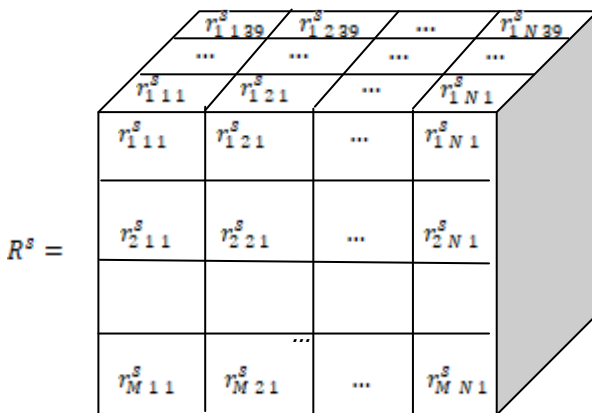
$k=\overline{1,39}$ .

$c$  – the upper index means that these risk profiles refer to countries or certain territories (regions).

The information matrix (4) and formula (5) represent an information model of risk profiles of non-tariff regulation of foreign trade associated with countries or certain territories (districts).

b) Models of risk profiles of non-tariff regulation of foreign trade associated with international carriers

Similarly, the hypercube of risk profiles of non-tariff regulation of foreign trade for carriers is formed:



(6)

where:

$r_{i1k}^s$  – unique digital code of the I-th international carrier;

$r_{m n k}^s$  – are defined as follows:

$$r_{m n k}^s = \begin{cases} 1, & \text{if the risk with the code number } n \\ & \text{is fixed for the } i - \text{carrier} \\ 0, & \text{otherwise} \end{cases} \quad (7)$$

$n$  – code number of the risk profile of non-tariff regulation of foreign trade related to international carriers,  $n=2,3,\dots,N$ ;

$m=\overline{1,\overline{M}}$ ,  $M$  - total number of international carriers operating in the Republic of Uzbekistan;

$k=\overline{1,39}$ .

$s$  – the upper index means that these risk profiles refer to international carriers operating in the Republic of Uzbekistan.

Information matrix (6) and formula (7) represent an information model of non-tariff foreign trade risk profiles associated with international carriers.

c) Models of risk profiles of non-tariff regulation of foreign trade related to foreign trade goods.

The next important factor in the analysis of the risks of non-tariff regulation of foreign trade are goods subject to certification. I.e. goods included in the list of technical control of non-tariff regulation of foreign trade.

As you know, the list of such goods is approved at the government level. For example, Appendix No. 1 to the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated December 30, 2012 No. 379 approved a list of goods subject to sanitary and epidemiological control [8]. In the database of the customs authorities of the Republic of Uzbekistan, 3,443 items of goods were registered according to the Commodity Nomenclature of Foreign economic activity (CN FEA) of the Republic of Uzbekistan (2017) [9].

Based on the above, the information matrix of goods subject to certification, i.e. falling in the list of technical control of non-tariff regulation of foreign trade is as follows:

$R^p =$

	$r_{111}^p$	$r_{121}^p$	$r_{131}^p$	$r_{141}^p$
	$r_{211}^p$	$r_{221}^p$	$r_{231}^p$	$r_{241}^p$
	$r_{M11}^p$	$r_{M21}^p$	$r_{M31}^p$	$r_{M41}^p$

(8)



where:

$r_{i1k}^p$  – goods code;;

$r_{i2k}^p$  - name of goods;

$r_{i3k}^p$  – basic unit of measure of goods;

$r_{i4k}^p$  - additional unit of measure for the goods/

$m=\overline{1, M}$ ,  $M$  - the maximum number of goods on the list of technical controls of non-tariff regulation of foreign trade.

$r_{i1k}^p$  - are defined as follows:

$$r_{i1k}^p = \begin{cases} 1, & \text{if a goods with a digital code } i \text{ according to the CN FEA} \\ & \text{requires a certificate with a digital code } k \\ 0, & \text{otherwise} \end{cases} \quad (9)$$

$k=\overline{1, 39}$ .

$p$  – the upper index means that these risk profiles relate to goods that fall into the list of technical control of non-tariff regulation of foreign trade.

Information matrix (8) and formula (9) presents an information model of risk profiles of non-tariff regulation of foreign trade associated with foreign trade goods.

#### 4. Criteria and algorithm for risk management of non-tariff regulation of foreign trade at checkpoints across the customs border

Information matrix of application for customs clearance of goods (1), information model of remote goods certification process and models of risk profiles of non-tariff regulation of foreign trade (4)-(9) will allow to establish risk management criteria at customs border crossing points.

Let's examine the risk management criteria in the order in which they are considered in Part 3 of this paper, i.e., first consider the risk management criteria related to countries or certain territories (districts). At the next stage, we will examine the risk management criteria related to international carriers and at the end of the risk management criteria related to foreign goods.

a) risk management criteria related to countries or specific territories (regions). According to the definition of the information matrix (1), for any application for customs clearance of goods with the number  $l$  ( $1 \leq l \leq L$ ), its four elements are associated with countries of the world, i.e.:

$$z_l^c = \left\{ \begin{array}{l} z_{41l}(\text{country of origin}) \\ z_{51l}(\text{country of departure}) \\ z_{61l}(\text{trading country}) \\ z_{131l}(\text{country of transit}) \end{array} \right\} \quad (10)$$

In order to establish the presence of a certain risk of non-tariff regulation of foreign economic activity, associated with countries or certain territories (areas), it is necessary to monitor each of these countries for the presence of such a risk As the main tool for solving this problem, the information matrix  $R_c$  (4) is used, which represents the risk profiles of non-tariff regulation of

foreign economic activity associated with countries or certain territories (regions). This problem can be solved by determining the common elements of matrices  $Z^c$  and  $R^c$ . Since the  $R^c$  matrix represents all countries in accordance with the international standard ISO 3166, among its elements there are countries that are reflected in (10). It follows that the number of common elements of matrices  $Z^c$  and  $R^c$  is four:

$$Z^c \cap R^c = 4 \quad (11)$$

Let the elements of the matrix  $R^c$  corresponding to the elements of the matrix  $Z^c$  be the following:

$$\left. \begin{aligned} z_{41l}(\text{country of origin}) \cap R^c &= r_{i_1 1 k}^c \\ z_{51l}(\text{country of departure}) \cap R^c &= r_{i_2 1 k}^c \\ z_{61l}(\text{trading country}) \cap R^c &= r_{i_3 1 k}^c \\ z_{131l}(\text{country of transit}) \cap R^c &= r_{i_4 1 k}^c \end{aligned} \right\} \quad (12)$$

In this case, the presence of risks of non-tariff regulation of foreign economic activity associated with countries or certain territories (regions) are determined by the following formulas:

$$\left. \begin{aligned} R_{i_1}^c(\text{country of origin}) &= \sum_k \sum_n r_{i_1 n k}^c \\ R_{i_2}^c(\text{country of departure}) &= \sum_k \sum_n r_{i_2 n k}^c \\ R_{i_3}^c(\text{trading country}) &= \sum_k \sum_n r_{i_3 n k}^c \\ R_{i_4}^c(\text{trading country}) &= \sum_k \sum_n r_{i_4 n k}^c \end{aligned} \right\} \quad (13)$$

where:

$$n=2,3,\dots,N;$$

$$k=\overline{1,39}$$

Criteria for risk management of non-tariff regulation of foreign economic activity, associated with countries or specific areas (regions) for the application for customs clearance of goods with the number  $l$  ( $1 \leq l \leq L$ ) are defined as follows:

$$R_l^c = R_{i_1}^c + R_{i_2}^c + R_{i_3}^c + R_{i_4}^c \geq 1 \quad (14)$$

- similarly, it is possible to define risk management criteria related to international carriers that participate in the process of foreign trade operations:

$$\left. \begin{aligned} Z^s \cap R^s &= 1 \\ \sum_k \sum_n r_{m_1 n k}^s &\geq 1 \end{aligned} \right\} \quad (15)$$

- Risk management criteria associated with goods on the list of technical controls of non-tariff regulation of foreign trade:

The above (11), (14)-(16) the risk management criteria for the risk of non-tariff regulation of foreign trade allow us to develop the following risk management algorithm at customs border checkpoints (Fig.2):

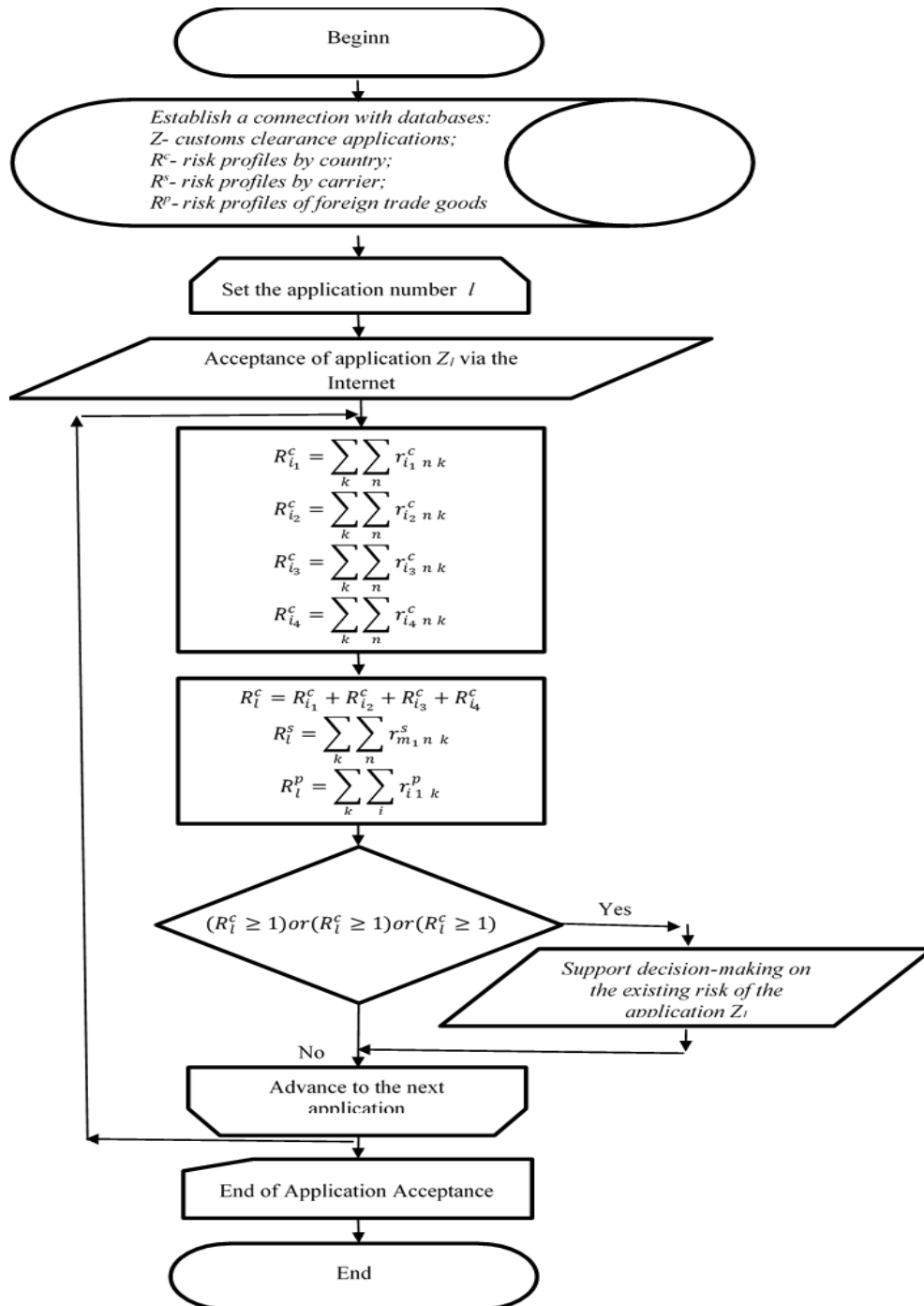


Fig.2. Risk management algorithm at customs border checkpoints

(Source: Authoring Developments)

## CONCLUSION

For customs authorities, the problem of monitoring, analysis and risk management, has an important place in the implementation of effective action on technical control of non-tariff regulation of foreign trade at the checkpoints across the state border.

The material presented in this paper is the result of studying and analyzing the current state of informatization and digital customs at the border. Currently, at checkpoints across the state border of the Republic of Uzbekistan, in particular at automobile crossing points, due to the lack of a "Single Window" mechanism for authorized control bodies, the time for customs control takes up to 40 minutes per vehicle.

The implementation of the conceptual approach "Single Window" and the algorithm for identifying risks at customs border crossing points, provide information interaction of regulatory authorities at the border and reduce the time of customs control..

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