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# MONITORING

OF THE IMPLEMENTATION OF THE MTOT  
ORDER № 39 ON APPROVAL OF THE LIST  
AND VOLUMES OF GOODS ALLOWED TO BE  
MOVED TO/FROM HUMANITARIAN AND  
LOGISTICS CENTERS AND ACROSS THE LINE  
OF CONTACT

This monitoring was carried out by the Charitable Fund «Right to Protection» (R2P) under the project «Provision of Multi-Sectoral Humanitarian Assistance to Conflict-Affected Populations in Eastern Ukraine» which is implemented by R2P with the financial support of the European Commission, within the framework of civil protection and humanitarian assistance of the European Union within the ACCESS consortium, and with the participation of the «Advocacy, Protection and Legal Assistance to IDPs» project implemented by R2P with the support of the UN Refugee Agency (UNHCR). This document covers humanitarian aid activities implemented with the financial assistance of the European Union. The views expressed herein should not be taken, in any way, to reflect the official opinion of the European Union, and the European Commission is not responsible for any use that may be made of the information it contains.

The contents of this publication are the sole responsibility of «Right to Protection» and can in no way be taken to reflect the views of UNHCR.

This report was prepared on the basis of monitoring of the implementation of the Order of the Ministry of Temporarily Occupied Territories and Internally Displaced Persons № 39 On Approval of the List and Volumes of Goods Allowed for Movement to/from Humanitarian and Logistics Centers and Across the Line of Contact. This monitoring aims to reflect the actual situation with the realization of the rights of citizens (in particular residents of temporarily occupied territories) to freedom of movement and free enjoyment of their property, while considering the peculiarities of the legal regime of crossing the line of contact in Donetsk and Luhansk regions, as well as the practical implementation of the legislation currently in force by public authorities exercising control over the movement of persons and goods across the line of contact.

In the course of preparing this report, the Joint Forces Operation (JFO) Commander adopted Order №p-3634 dated 30.10.2018<sup>1</sup> establishing additional restrictions on the movement of goods across the line of contact. The Order provides for a ban of «movement of goods (cargoes), hand-luggage and accompanied baggage through the entry-exit checkpoints within a defined quantity (value) more than once a day». Herewith, as it was assured by the JFO Deputy Commander during the briefing<sup>2</sup> devoted to the document presentation, the restrictions will not apply to persons moving across the line of contact with personal belongings. However, due to the lack of any official explanations on practical implementation of the Order and the procedure for movement control, there was a risk of arbitrary interpretation that is also evidenced by the Annex to the Order published on November 14, 2018. The latter establishes that persons are entitled to cross the entry-exit checkpoint an «unlimited number of times but the total quantity of goods (cargoes), hand-luggage and accompanied baggage being moved throughout the day should not exceed the established limit.»

<sup>1</sup> See Annex 2 hereto

<sup>2</sup> <https://www.facebook.com/pressjfo.news/videos/313378445938288/>

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## GLOSSARY

Terms and abbreviations herein are used with the following meaning:

LoC	Line of Contact
EECP	Entry-exit checkpoint
MTOT	Ministry of Temporarily Occupied Territories and Internally Displaced Persons
TOT	Temporarily Occupied Territories
GCA	Government controlled area
Order № 39, Order	MTOT Order № 39 On Approval of the List and Volumes of Goods allowed for movement to/from humanitarian and logistics centers and across the line of contact
List	List and Volumes of Goods allowed for movement to/from humanitarian and logistics centers and across the line of contact approved by the Order № 39
Resolution № 99	Resolution of the Cabinet of Ministers № 99 On approval of the Procedure of the movement of goods to the area or from the area of the antiterrorist operation of 01.03.2017
Procedure	Procedure of the movement of goods to the area or from the area of the antiterrorist operation
SFS	The State Fiscal Service of Ukraine
SBGSU	State Border Guard Service of Ukraine
CMU	Cabinet of Ministers of Ukraine

## METHODOLOGY

The legal regulation of the procedure for crossing the LoC and movement of goods to/from the TOT was analyzed in order to prepare this report. In particular, the Procedure is compared to the rules of crossing the state border and administrative border with the Autonomous Republic of Crimea; it provides data received during the regular monitoring of the status of respect for human rights during crossing the LoC through the EECPs carried out by R2P at all 5 EECPs in Donetsk and

Luhansk regions<sup>3</sup>; it contains additional information provided by the SFS of Ukraine in response to requests of R2P for additional information.

Field studies at the EECPs in the framework of monitoring implementation of Order № 39 were carried out from October 23 till November 2 and included observations of control procedures and polling of travellers. R2P monitors made 30 visits in total to the EECPs and questioned 365 persons who crossed the LoC

through the EECPs. Polling was carried out among adult women and men who travelled across the LoC in both directions and included questions about place of residence, frequency, way and purpose of crossing the LoC, their needs and previous experience of moving goods and personal belongings.

## 1 ESSENCE OF THE ORDER

The Order of the Ministry of Temporarily Occupied Territories and Internally Displaced Persons № 39 On Approval of the List and Volumes of Goods Allowed for Movement to/from Humanitarian and Logistics Centers and Across the Line of Contact,<sup>4</sup> approved pursuant to Resolution of the Cabinet of Ministers № 99 On approval of the Procedure of the movement of goods to the area or from the area of the antiterrorist operation of 01.03.2017, came into force in March 2017. Since then, persons travelling across the LoC may carry only a limited quantity of goods and personal belongings included in the List in hand-luggage or accompanied baggage.

The List includes major types of food, non-food and excisable products and also determines what kind of goods and items can be attributed to personal belongings

of citizens. Besides the List, the Order approves threshold volume and value of goods that can be moved by one person across the LoC. Thus, according to p.4 of the Order, individuals may move across the line of contact:

*« from uncontrolled territory to controlled territory and backwards – goods the total invoice value of which does not exceed the equivalent of 10000 UAH and the total weight of which does not exceed 75 kg per person;*

*from controlled territory to humanitarian and logistics centers – goods the total invoice value of which does not exceed the equivalent of 10000 UAH and the total weight of which does not exceed 75 kg per person; [...]*

*Personal belongings and excisable goods shall be moved in volumes determined in the List.»*

Since the Order came into force, the MTOT has amended it twice (in April and September 2017). In particular, some types of food products (tea, coffee), non-food products, garden supplies, tires for passenger cars were added to the List, the volume of medicines was increased to 5 boxes or units of each item, and amendments were made to the list of goods which may be attributed to personal belongings of the citizens (baby carriages and wheelchairs, domestic appliances, etc. were added).

<sup>3</sup> The study «Crossing the line of contact through the entry-exit checkpoints» is a part of the monitoring of violation of rights of conflict-affected population under the «Advocacy, Protection and Legal Assistance to IDPs» project implemented by the CF «Right to Protection,» supported by the UN Refugee Agency (UNHCR)

<sup>4</sup> See Annex 1 hereto

## 2 CROSSING THE LOC COMPARED TO CROSSING OF THE STATE BORDER AND ADMINISTRATIVE BORDER WITH ARC

Monitoring of the implementation of the Order № 39 was conducted in order to research the status of respect for the right to freedom of movement and realization of humanitarian needs of the TOT population in Donetsk and Luhansk regions and does not cover the peculiarities of economic activity. Thus, in the context of the current analysis, the Procedure approved by Resolution № 99 along with the Temporary procedure for control over people's movement across the line of contact within Donetsk and Luhansk regions approved by Order of the ATC with the SSU №222<sup>5</sup> are the only legal acts regulating the movement of persons and goods across the LoC in Donetsk and Luhansk regions, while the movement of persons and goods across the state border of Ukraine as well as to/from the temporarily occupied territory of Autonomous Republic of Crimea (ARC) are regulated by special legislation including the Laws of Ukraine «On the Procedure of Ukrainian Citizens Entry in Ukraine and Departure from Ukraine» (and the Rules of crossing of the Ukrainian state border by Ukrainian citizens adopted pursuant to this Law), «On Creation of the Free Economic Zone «Crimea» and on the Peculiarities of Exercising Economic Activity in the Temporarily Occupied Territories of Ukraine».

The key features of legal regulation of crossing the LoC compared to the legislation regulating crossing the state border and administrative border with ARC include a permit system (a permit granted to individual to cross the LoC) and the List and Volumes of Goods Allowed for Movement to/from Humanitarian and Logistics Centers and across the Line of Contact approved by the Order № 39. It is worth mentioning on the latter that such an approach (restriction on the movement of goods and personal belongings by the list of goods and personal belongings that can be moved) is used only in relation to TOT in Donetsk and Luhansk regions. At the same time, the opposite principle is used with regards to the state border and administrative border with ARC: individuals are entitled to move any goods and personal belongings except those directly prohibited from being moved within certain volumes for respective types of goods and values. In this case, the threshold weight and value of goods and personal belongings are not limited.

It is also worth mentioning that the CMU Resolution on movement of goods across the administrative border with Crimea was in force from January 2016 until its cancellation in March 2017 by the District Administrative Court of the City

of Kyiv,<sup>6</sup> which in its ruling prohibited: «during the temporary occupation the supply of goods (works, services) under all customs procedures from the temporarily occupied territory to other territory of Ukraine and/or from other territory of Ukraine to the temporarily occupied territory with the exception of: personal belongings of citizens determined by part 1 article 370 of the Customs Code of Ukraine (except for the goods defined by clause 24 part one of the mentioned article) being transported in hand-luggage or accompanied baggage; socially important food products being transported by citizens, the total invoice value of which does not exceed the equivalent of 10 000 UAH and the total weight of which does not exceed 50 kg per person under the list according to Annex.»

Thus, the CMU adopted Resolution № 99 at the same time when restrictions of similar content in relation to the temporarily occupied territory of ARC were appealed in court as unlawful. After the judgment the Procedure was not revised but, on the contrary, the MTOT issued Order № 39 through which it fixed the above mentioned restrictions on the movement of goods across the LoC in Donetsk and Luhansk regions.

<sup>5</sup> <https://ssu.gov.ua/ua/pages/32>

<sup>6</sup> <http://reyestr.court.gov.ua/Review/65313514>

### 3 SITUATION DYNAMICS SINCE THE ORDER CAME INTO FORCE

As was mentioned above, the List of goods approved by the Order № 39 has been revised and amended twice. That had become necessary in light of the fact that the list in the original version imposed too harsh restrictions and did not meet the humanitarian needs of those travelling across the LoC. Thus, several weeks after the Order came into force, the volume and value of goods being moved to/from the HLC were changed. In addition, drinking water was included in the List.

Attention should be paid to the peculiarities of the Order's implementation, as during regular monitoring at the EECs R2P monitors recorded the divergent practice of its implementation by the SFS representatives. Thus, for instance, the original version of the List lacked some food products which usually belong

to a normal diet such as tea, coffee, mushrooms or honey. At the same time, since the Order came into force and until September 2017, these goods in the amount for personal use were moved across the LoC with no limitations. However, starting from September 22, R2P monitors began documenting complaints from people travelling across the LoC of denial of permission to cross for persons carrying such products, and receiving requests for Procedure clarification. Since the end of September people who planned to travel across the LoC began taking active interest in the List.

Despite the fact that permit refusals on the basis of the absence of some goods from the List were lawful, they naturally provoked resentment on the part of persons crossing the LoC because they caused unjustified financial and time-

consuming costs, forcing travelers either to throw out the banned goods or to interrupt their trips. Thus, at the end of September 2017 such products in small numbers were permitted for movement. Other amendments to the Order came into force on October 10, 2017; in particular, the List was supplemented in part with some food products, non-food goods and personal belongings. However, the mentioned amendments have not changed the situation fundamentally, as they provided for only a minor expansion of the List, and not for changing the approach to regulation of the procedure for movement of goods and personal belongings by individuals.



## 4 FIELD STUDY RESULTS



«Stanytsia Luhanska» EEC

From October 23 to November 2, 2018, R2P monitors carried out observations of control procedures at 5 EECs in Donetsk and Luhansk regions. In total, 30 field visits were made in the framework of monitoring (4 to «Hnutove» EEC, 8 to «Maiorske» EEC, 5 to «Marinka» EEC, 6 to «Novotroitske» EEC and 7 to «Stanytsia Luhanska» EEC).

During 11 of the 30 visits, monitors observed refusals of permits for movement of goods by SFS officers on the basis of the Order. In total, 65 such cases were documented during the research.

The goods that were most often banned from movement included food products, personal hygiene products, clothes, household chemicals, excisable goods, spare parts, components and automobile repair equipment. In most cases, people who had been denied permission to cross on the basis of Order № 39 had to interrupt their trip, throw away the goods, or leave them behind at the EEC (to give to other persons).

### 4.1. Procedure

It should be emphasized that the Procedure of movement of goods approved by Resolution № 99 as well as the Temporary procedure for control over people's movement across the LoC approved by Order of the SSU ATC № 222-or do not govern the SFS inspection procedure of hand-luggage and baggage moved by individuals across the LoC. In other words, this document does not establish a clear and transparent course of action for the SFS officers, the extent of their powers, or the rights and duties of citizens. These documents do not give insight into if the SFS maintains statistics or otherwise evaluates the effectiveness of the Procedure and its compliance with legislation and human rights protection principles. Thus, R2P sent a request to the SFS to clarify the procedure with the following questions:

1. *How is the course of action of the SFS officers regulated in case goods or personal belongings not included in the List are discovered among persons*

*crossing the line of contact through the EEC?*

2. *How should goods not included in the List be seized in case they are discovered among individuals during inspection at the EEC?*

3. *Do the fiscal teams keep record of the number of persons who were denied to move goods not included in the List, and of the grounds for such refusals and categories of goods banned from movement?*

4. *Has the SFS taken any measures to identify and address problematic issues arising in relation to the movement of goods not included in the List across the LoC?*

Unfortunately, the SFS in its response signed by its Deputy Head has not provided any additional information but only referred to the legislation, particularly Resolution № 99, and Order of the SSU ATC №222-or on approval of the Temporary procedure for control over people's movement across the

LoC. Thus, the Letter mentions that according to para. 18 of the Procedure, «At the entry-exit checkpoint [...] the SFS representative [...] inspects goods and vehicle for consistency with the data stated in the respective list». Moreover, the Letter mentions that recording of persons crossing the LoC is out of the SFS's competence. Thus, it is obvious that the course of action of SFS officers, in the



Queue at «Stanytsia Luhanska» EEC

event that goods or personal belongings not included in the List are discovered and in the event of contentious issues, is left to the officer's discretion.

However, R2P welcomes the SFS's efforts, the officers of which are part of the Inter-Agency Working Group «*work out the ways to address the problematic issues related to the LoC crossing in order to develop a draft normative act regarding the list of goods (objects, personal belongings) prohibited from being moved*».

In the framework of the presented research, R2P monitors observed the inspection procedure of hand luggage and the further permission or refusal on the basis of the Order № 39, as well as consulted with the SFS representatives at the EECPs on certain procedural aspects. Thus, the majority of the SFS officers,

who agreed to provide necessary information, have reported that they refuse permission to persons on the basis of Order № 39 and do so at least once a day.

R2P monitors received controversial data on recording cases of refused permits. Thus, some SFS officers reported that they record all such cases, some—that they do not, and the rest refused to answer. It was interesting to note that an equal number of the SFS officers estimated the efficiency of the Order № 39 generally positively and as noted that the approach to formulating the List should be changed. The SFS representatives believe that the too narrow and imperfect list of goods that can be moved and illogical principle of forming the List to be the reasons for its inefficiency. They believe that it is

necessary to establish a list of goods prohibited from being moved, instead of a list of allowed goods.

It was mentioned above that implementation of the Procedure often differs and some aspects of law enforcement are left to the officer's discretion. Thus, during monitoring in some cases, different shifts of SFS officers at the EECPs interpreted the provisions of Order № 39 in a different way (e.g. «Stanytsia Luhanska» EECP, October 31 – it was permitted to move max. 1 box of 20 melted cheeses, November 1 – other shift of SFS officers – 4 boxes; on October 31 the SFS representative at «Marinka» EECP allowed to move a maximum of only 5 kg of one product though Order № 39 does not provide for such restriction).

## 4.2. Terms of the inspection procedure

Terms of the inspection procedure of hand-luggage/baggage by SFS officers are generally estimated as satisfactory, but it is worth noting that the situation greatly differs at different EECPs and depends on their infrastructure and available amenities in general. Thus, the highest mark was given to «Marinka» EECP, which was entirely re-equipped in August 2018. The SFS control operations are carried out here in a closed heated terminal for persons crossing the LoC on foot and under cover for passenger transport. There are comfortable tables and lighting. After «Stanytsia Luhanska» EECP was equipped in September 2018, the conditions of inspection were also significantly improved here: a wide cover was built which has better lighting. The remaining EECPs («Hnutove»,

«Maiorske» and «Novotroitske») have only wooden covers and low benches on which it is possible to place hand luggage. Due to the lack of light, especially in the evening, the inspection often takes place outdoors despite weather conditions.

**The behavior of SFS officers** in general is professional and meets the standards of business ethics. However, from time to time R2P monitors document complaints from persons crossing the LoC of rude or biased treatment, and refusal to explain the reasons for refusing the permit. Sometimes elder women travellers report that they feel uncomfortable when their personal belongings are inspected by a man. To find out if there are women in fiscal teams at the EECPs and if it is possible to carry out inspection by female SFS officer at the traveller's

request, the corresponding questions were addressed to SFS officers during the monitoring. As a rule, there are no women in the fiscal teams nor is there a legal requirement for their presence. However, all the respondents reported that in individual cases, at the request of the inspected person, inspections may be carried out by a female SBGSU officer who is always present at the EECP.

## 4.3. Traveller polling

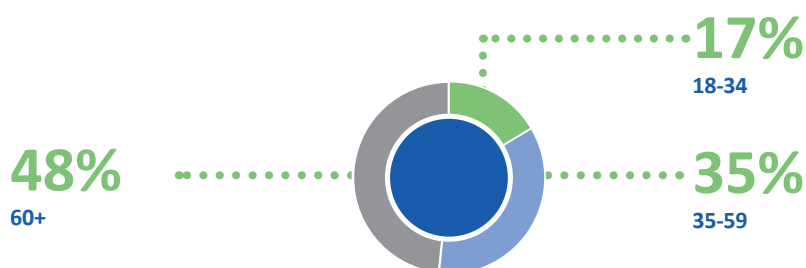
*Respondents' demographics.* R2P monitors questioned 365 persons crossing the LoC through the EECPs during the study. Polling was carried out among adult women and men who travelled across the LoC in both directions and included questions about their place of residence, frequency, way and purpose of crossing the LoC, as well as their needs and previous experience of moving goods and personal belongings. The division of respondents by age and gender generally correlates with the monitoring data from the study «Crossing the line of contact through the entry-exit checkpoints» carried out by R2P on a regular basis<sup>7</sup>. Thus, around half of respondents is elderly people (60+); women account for more than half of the total number of respondents.



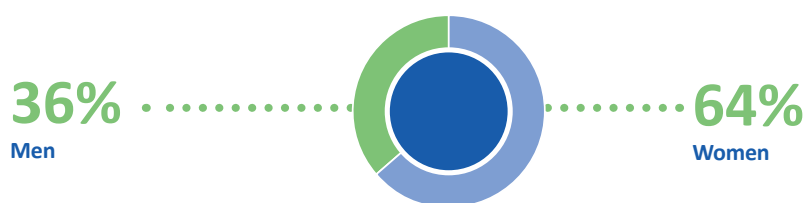
Polling of respondents by an R2P monitor at «Maiorske» EECP

According to the report «Crossing the line of contact through the entry-exit checkpoints» for October 2018,<sup>8</sup> the majority of respondents were females (64%), 36% were males. Elderly persons remain the largest age group (54.6% of all respondents).

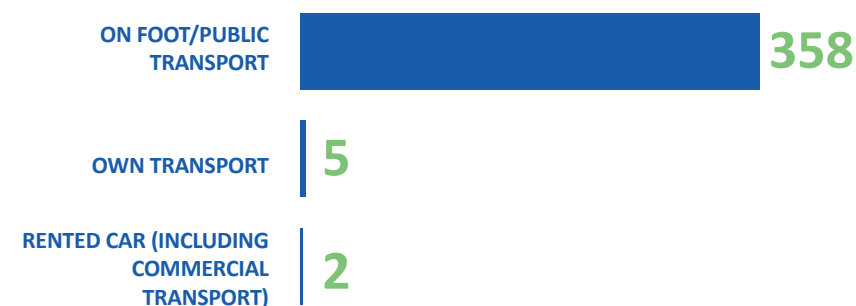
### ■ AGE OF PEOPLE CROSSING THE ENTRY-EXIT CHECKPOINTS



### ■ GENDER OF PEOPLE CROSSING THE ENTRY-EXIT CHECKPOINTS



### ■ HOW DO THE RESPONDENTS CROSS THE ENTRY-EXIT CHECKPOINTS?



### *Frequency and geography of the LoC crossing*

The prevailing number of respondents cross the EECPs on foot or by public transport (98.1%). An insignificant number cross by their own transport (1.4%) or use the services of commercial carriers (0.5%).

The main criteria while choosing through which EECP to cross the LoC:

- EECP closest to the purpose of the visit (85.6%);
- This EECP has the smallest queues (9.2%);
- It is possible to use transport at this EECP (3%).

<sup>7</sup> Polling results within the study «Crossing the line of contact through the entry-exit checkpoints», which is implemented with the support of the UN Refugee Agency, can be found at a dashboard at: <http://clc.am/ezd32w>

<sup>8</sup> [http://vpl.com.ua/wp-content/uploads/2018/11/zvit\\_KPVV\\_october-\\_2018\\_eng.pdf](http://vpl.com.ua/wp-content/uploads/2018/11/zvit_KPVV_october-_2018_eng.pdf)

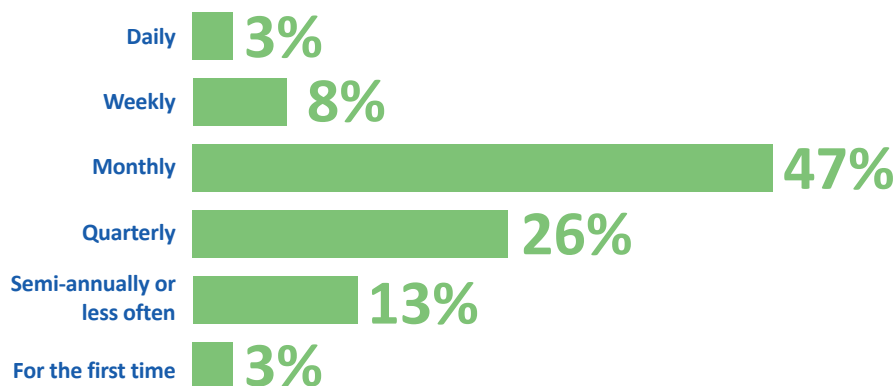
Six respondents reported that usually they travel between the TOT and the GCA through the territory of the Russian Federation (checkpoints in Luhansk («Milove») and Kharkiv regions). In spite of the fact that they are thus forced to violate legislation by crossing the state border uncontrolled by the Ukrainian government, residents of some areas of the TOT in Luhansk region are often forced to choose this way of getting to the GCA. Thus, they are able to travel by car and carry baggage with minimal waste of time and finances because «Stanytsia Luhanska» is the only EECP operating in the region, and it is only open for crossing on foot.

Around half of respondents reported that they cross the LoC every month, generally almost 84% do it every quarter or more often (see the chart REASONS TO CROSS THE ENTRY-EXIT CHECKPOINTS).

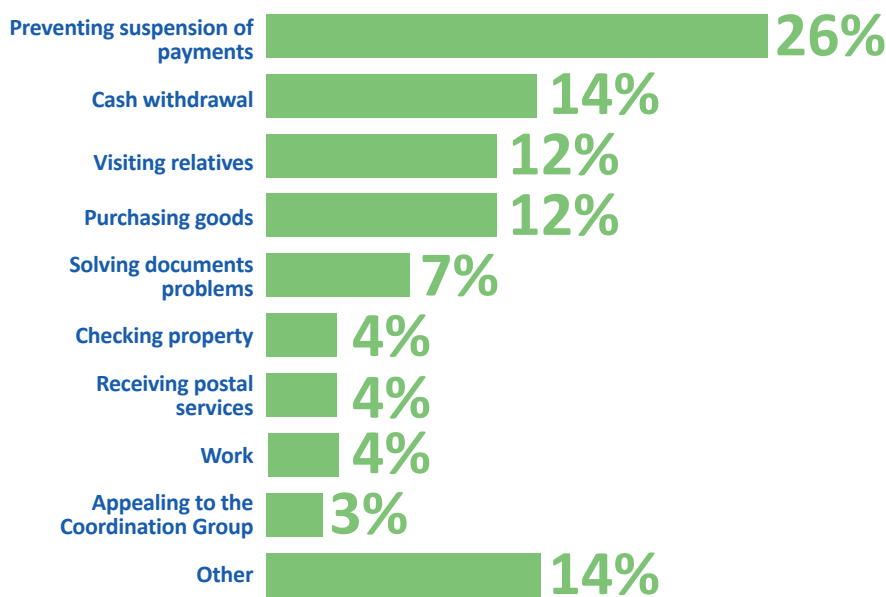
Almost 80% of the respondents did not face problems with the movement of goods or personal belongings over the LoC. Such an indicator correlates with the data on the frequency of crossing indicated above. Thus, people who often travel through the LoC are better informed about the rules of crossing through the EECP and peculiarities of the permit regime.

However, over 20% (76 persons) indicated that they met with difficulties during the movement of goods, personal belongings, and other objects across the LoC. 84% of them (64 persons) are TOT residents. In other words, they are people who have no access to goods produced in Ukraine and shopping facilities where it is possible to buy products at market prices. Thus, 41% of those who met with difficulties during movement across the LoC indicated purchasing of goods as the purpose of their trips.

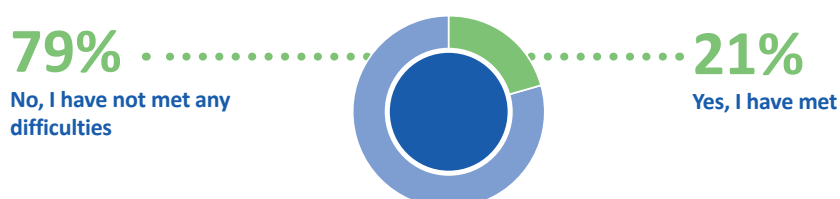
■ HOW OFTEN DO THE RESPONDENTS CROSS THE ENTRY-EXIT CHECKPOINTS?



■ REASONS TO CROSS THE ENTRY-EXIT CHECKPOINTS



■ HAVE YOU EVER MET DIFFICULTIES WHILE TRANSPORTING GOODS OR PERSONAL BELONGINGS THROUGH THE ENTRY-EXIT CHECKPOINTS?



Attention should be paid to the fact that over half (56%) of those who met with difficulties in the movement of goods reported that the prohibition of their goods was on the basis of Order № 39. 25% of respondents complained about too long and detailed inspection by SFS officers, which indicates the lack of a clear and transparent inspection procedure for hand-luggage.

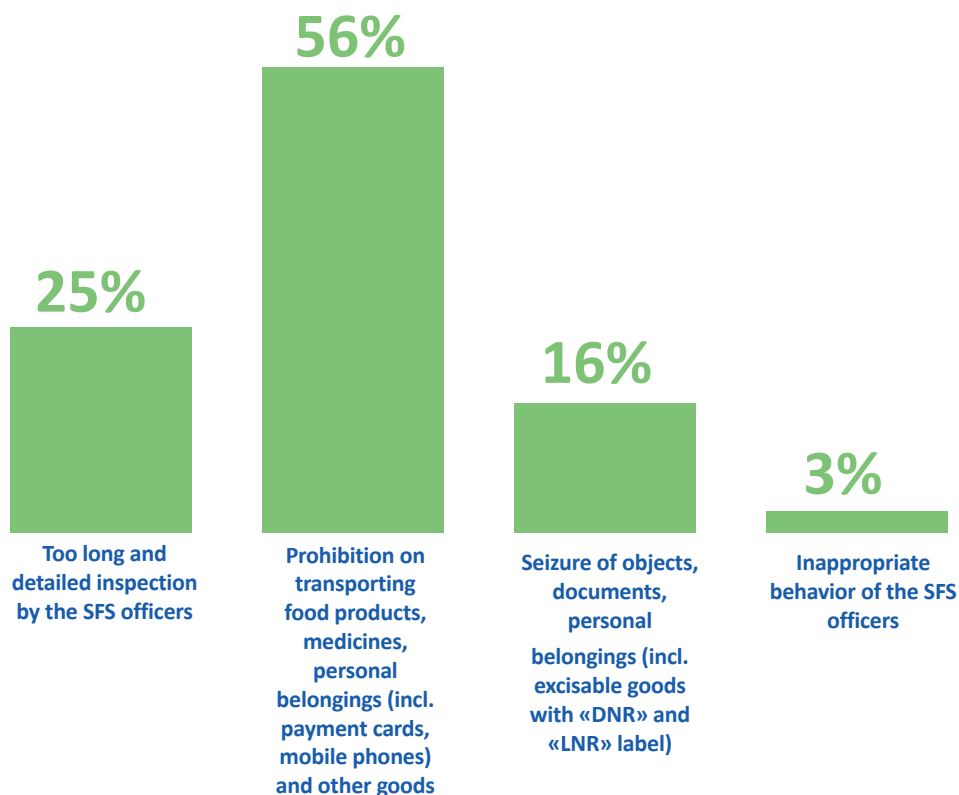
Among those who were refused permission to cross on the basis of Order № 39, the refusal was most often related to:

- Food products;
- Domestic appliances;
- Clothes;
- Equipment and garden supplies;
- Spare parts and tires for cars;
- Excisable goods.

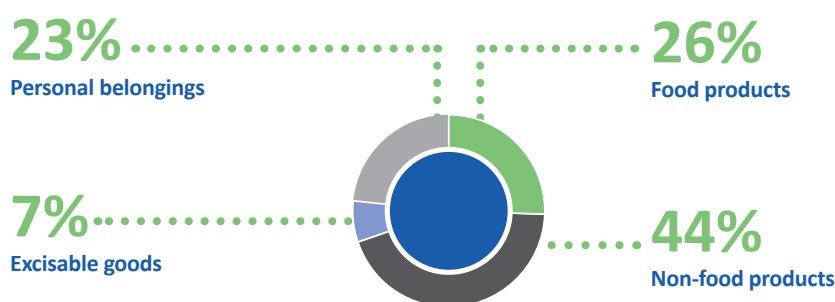
Among goods which were banned from movement on the basis of Order № 39 were: food products (e.g., mushrooms); non-food products (new clothes, construction paints, wallpapers, ceramic tiles, spare parts for moped, car, building instruments, etc.). Prohibition to move new domestic appliances, irrespective of value, documents availability and size, was also reported.

In general, the persons banned from passing on the basis of Order № 39 had to come back (55%) or throw away their own goods (10.5%). In some cases (15.8%), SFS officers allowed goods not provided for the Order № 39 to pass. In 15.2% of cases, the travellers transferred the goods for storage or movement by other persons.

■ WHAT KIND OF PROBLEMS OCCURRED DURING TRANSPORTING GOODS OR PERSONAL BELONGINGS THROUGH THE ENTRY-EXIT CHECKPOINTS?



■ WHAT KIND OF GOODS WERE PROHIBITED FOR TRANSPORTATION THROUGH THE ENTRY-EXIT CHECKPOINTS BY THE SFS OFFICERS?



## 5 CONCLUSIONS

The TOT residents in Donetsk and Luhansk regions and the IDPs are one of the most economically vulnerable groups of the Ukrainian population because they suffer from the results of ongoing armed conflict and do not have the possibility of effective protection of their rights in the TOT. Limited opportunities for employment and shortcomings of the social protection system and discriminatory policy of the Government toward pensioners from TOT force them to travel through the line of contact on a regular basis. Such trips are dangerous for life and health, especially for elderly people, who are the largest group represented in the current study.

Apart from that, as a rule crossing the LoC through the EECs is connected with significant time consuming and financial expenses.

TOT residents who do not have any access to goods produced in Ukraine or their relatives often travel to the GCA in order to buy goods. That said, the effective procedure of crossing the LoC and the existence of a limited list of products that can be moved, significantly limit their options and do not meet the actual needs of population. The list of objects, which can be considered personal belongings, is outdated and is inconsistent with reality.

Restrictions imposed by Resolution № 99 and Order № 39 create unjustified financial risks and limitations of citizens' rights. The procedure for crossing the LoC needs to be revised with respect to the movement of goods and personal belongings by individuals. To realize the goals of protecting national security and respect for human rights, the opposite approach should be used: developing the list of goods and items prohibited from movement across the line of contact, instead regulating what goods are permitted.

## 6 ANNEX 1: LIST OF GOODS ALLOWED FOR MOVEMENT TO/FROM HUMANITARIAN AND LOGISTICS CENTERS AND ACROSS THE LINE OF CONTACT<sup>9</sup>

### Food products:

- wheat flour, rye flour;
- bakery products;
- pasta;
- cereals;
- beef;
- pork;
- lard;
- poultry meat;
- fish and seafood;
- sausage products;
- precooked foods;
- milk;
- sour cream;
- soft cheese, hard cheese;
- butter;
- eggs;
- sugar;
- sunflower oil;
- salt;
- spices;
- vegetables;
- fruits;
- confectionery;
- diabetic food products;
- drinking water (including bottled water);
- packed tea in packages for retail trade, with a total weight not exceeding 2 kg;
- coffee beans (fried or not fried), ground coffee, instant coffee, in packages for retail trade, with a total weight not exceeding 2 kg.

### Non-grocery goods:

- household cleaning products;
- writing materials and stationery;
- printed products (periodical publications, books, etc);
- personal care products;
- individual cosmetics;
- clothes, linen, footwear (and other haberdashery);
- small appliances;
- lawn and gardening tools, tools in the amount of no more than five pieces;
- One set (4 pieces) of all season or winter tires, or summer tires for cars, with a radius of not more than 16 inches;
- pharmaceutical products as defined in the Law of Ukraine «On pharmaceutical products» - no more than five packages or five pieces of each denomination;
- medical products for human life and control of health condition.

### Excisable product:

- 200 cigarettes, or 250 grams of tobacco, or these products in sets of a total weight not exceeding 250 grams;
- 5 liters of beer, 2 liters of wine, 1 liter of spirits (containing more than 22% of alcohol) alcoholic beverages.

### The list of goods that can be classified as personal belongings of citizens:

- sanitary products and individual cosmetics in the amount that meet the needs of one person for the duration of the trip;
- used clothes, linen, footwear for personal use;
- used personal jewelry, including precious metals and stones (on a person in a reasonable quantity);
- payment cards in the amount of no more than 3 pieces;
- one camera, one video cinema, a camcorder together with a reasonable quantity of additional accessories;
- portable musical instruments in the amount of no more than two pieces;
- one portable audio reproduction device (including tape recorder, voice recorder, CD player, etc.) with a reasonable number of films, records, discs;
- one portable radio;
- mobile phone in the amount of no more than two pieces;
- one TV;
- laptop or personal computer and peripheral equipment and accessories to it in the amount of not more than one piece; flash cards - no more than three pieces;
- calculators, electronic books - no more than two pieces;
- bassinet and / or stroller for each child crossing the line of contact with a citizen, and no more than one piece in case of absence of the child;

<sup>9</sup> Order № 39 «On Approval of the List and Volumes of Goods allowed to be moved to/from humanitarian and logistics centers and across the line of contact» approved by the order of the Ministry of Temporarily Occupied Territories and Internally Displaced Persons of Ukraine with amendments made pursuant to the Orders of MTOT № 45 of 11.04.2017 and № 95 of 27.09.2017

- two wheelchairs for each person with disability, and one piece if there is no persons with disabilities;
- used individual medical products for human life and control of health condition;
- pharmaceutical products in the amount that do not exceed five packages of each item per person (except of drugs containing narcotic or psychotropic substances);
- one watch;
- 0.5 liters of toilet water and / or 100 grams of perfume;
- sports equipment - bicycle, fishing rod, set of skis, set of tennis racquets, other similar equipment, to be used by one person;
- used personal goods (furniture, utensils, kitchen utensils, household appliances, bed and bed linen, books, notebooks, stationery, rugs, paintings, lighting devices, tools, children's toys) in case of moving of person from an uncontrolled territory to controlled territory.



## 7

**ANNEX 2:****ORDER OF THE JFO COMMANDER №P-3634 DATED 30.10.2018 WITH ANNEXES****ORDER  
OF THE COMMANDER OF THE JOINT FORCES**

October 30, 2018

Chasiv Yar town

№ P-3634

Pursuant to article 9 of the Law of Ukraine "On the peculiarities of State policy on ensuring Ukraine's State sovereignty over temporarily occupied territories in Donetsk and Luhansk regions" dated 18.01.2018 № 2268-VIII, paragraph 14 of the Regulations of the United Operation Headquarters approved by the Order of the Commander-in-Chief of the Armed Forces of Ukraine dated 30.04.2018 № 5дкк-оп and in order to prevent further commercial sale of goods (cargoes) transported by persons to temporarily occupied territories in Donetsk and Luhansk regions

**I COMMAND:**

1. To the Chief of Staff - the First Deputy Commander of the Joint Forces, the Deputy Commander of the Joint Forces, the Deputy Commander of the Joint Forces on the use of forces and resources of the Security Service of Ukraine, the Deputy Commander of the Joint Forces on the use of forces and resources of the State Border Guard Service of Ukraine, Head of Department of the State Fiscal Service of Ukraine of the Joint Forces United Command Center to ban the movement of goods (cargoes), hand-luggage and accompanied baggage through the entry-exit checkpoints within a defined quantity (value) more than once a day.

2. To the Deputy Commander of the Joint Forces on the use of forces and resources of the Security Service of Ukraine, the Commanders of TF "North" and TF "East" to ban the movement of goods (cargoes) across the contact line beyond the entry-exit checkpoints.

3. Monitoring of the order implementation shall be the responsibility of the First Deputy Commander of the Joint Forces.

4. To disclose the order to the personnel, insofar as the following matters are concerned.

**COMMANDER OF THE JOINT FORCES**

Lieutenant-General

/signature/

S. I. NAIEV

Official seal is illegible

Annex to the Order of the Chief of Staff - the First  
Deputy Commander of the Joint Forces dated  
14.11.2018 № P-3954

### **Information**

#### **on the order of the Commander of the Joint Forces dated 30.10.2018 № P-3634**

In order to prevent further commercial sale of goods (cargoes) transported by persons to temporarily occupied territories in Donetsk and Luhansk regions the Commander of the Joint Forces has issued an order dated 30.10.2018 № P-3634 which established **restrictions** on the movement of goods (cargoes), hand-luggage and accompanied baggage, **throughout the day**, the list of which is determined by the order of the *Ministry of Temporarily Occupied Territories and Internally Displaced Persons of Ukraine dated 24.03.2017 № 39* the value of which **should not exceed 10 000 UAH and 75 kg of weight.**

Thus, a **person** crossing the entry-exit checkpoint is **entitled to cross the entry-exit checkpoints an unlimited number of times** but the total quantity of goods (cargoes), hand-luggage and accompanied baggage being moved **throughout the day** should not exceed the established limit.





Фінансується в рамках  
цивільного захисту  
та гуманітарної допомоги  
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