

Paris, 11 April 2022

OPEN LETTER TO
Hon. Kunio Mikuriya, Secretary General
World Customs Organization, Brussels, Belgium

Dear Secretary General,

On behalf of the international business community and the ATA Carnet guaranteeing chain, I am writing to request your support to encourage national customs administrations to grant payment and debt relief on ATA Carnets issued in Ukraine given the special circumstances.

I concur with your tribute to Customs officers in your 9 March statement on Ukraine and further applaud your continued efforts to carry out practical work at the technical level even in times of crisis.

Currently, Ukrainian ATA Carnet users and the guaranteeing chain are highly affected by the war. Under these special circumstances, we urge you to employ your good offices in requesting customs administrations to refrain from opening claims or collecting payments against previously admitted Ukrainian Carnets. The current situation makes it very difficult for ATA Carnet users and the guaranteeing chain to collect payment or submit the necessary documents in Ukraine, which puts them in a vulnerable condition should Customs authorities fail to give greater facilities.

Compared with ATA Carnets issued in other countries, we believe Ukrainian Carnets to be in an exceptional situation. Therefore, based on the principle of equity, we call for debt relief on ATA Carnets issued in Ukraine. Although the principle of equity was not mentioned specifically in the ATA or Istanbul Conventions, granting greater facilities is allowed under Article 17 of the Istanbul Convention and we believe granting debt relief under special circumstances should be allowed, as is modelled, inter alia, in Article 120 on Equity of the Union Customs Code.

In light of the current crisis, ICC's partnership with the WCO is more important than ever. I hope you will join me in providing assistance to businesses in Ukraine. I would highly appreciate it if the WCO joins our call and encourages national Customs administrations to grant payment and debt relief on ATA Carnets issued in Ukraine given this trying time.

Thanks in advance for your support and response.

Yours sincerely,



John W.H. Denton AO

Secretary General, International Chamber of Commerce