



PRAVOLEX

адвокаты - advocaten - avocats - lawyers

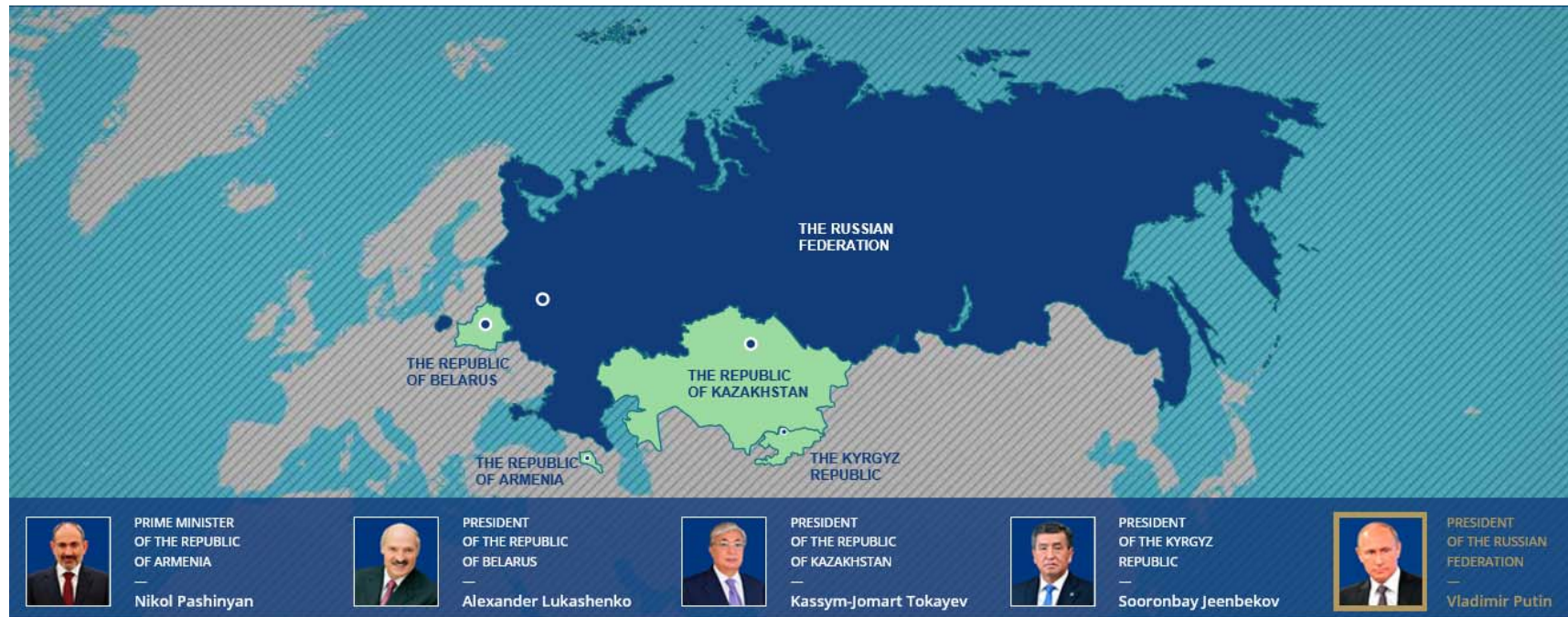
COVID 19 : legal challenges in doing business in Eurasian Economic Union region; focus on Russia and Kazakhstan

Anna Sussarova

Lawyer, managing partner

www.pravolex.be

Eurasian Economic Union (EAEU)



THE REPUBLIC OF ARMENIA



THE REPUBLIC OF BELARUS



THE REPUBLIC OF KAZAKHSTAN



THE KYRGYZ REPUBLIC



THE RUSSIAN FEDERATION

Measures at the EAEU Level

Till September 30th : ban on the export of personal protective equipment, disinfectants, medical products from the EAEU countries



Measures at the EAEU Level

- Till June 30th :List of goods that are essential for internal EAEU market and for which **temporary bans** or **quantitative restrictions** on exports may be imposed in exceptional cases



- onion, garlic, turnip, rye, rice, buckwheat, millet, cereals, coarse meal, granulated cereals, ready to use buckwheat products, crushed and non-crushed soybeans, and sunflower seeds
- In Kazakhstan: inclusion of cattle and breeding chickens to this list

Measures at the EAEU Level

- Till September 30th : non-tariff regulation measures



COVID 19 : FOCUS ON RUSSIA

- Till September 30, 2020 : **suspension of VAT** on COVID-19 test kits, face masks, respirators and other protective equipment, air filtration and purification equipment, ventilators and medicines used to treat COVID-19

!!!! Only in case these goods are imported for free circulation

- **Import / export and Transport of goods:**

<https://www.gosuslugi.ru/new>

<http://non-tariff.gov.ru/>

simplified procedure for state registration of 36 medical devices

Information on: <http://publication.pravo.gov.ru/Document/View/0001202003190036>

- **Increased demand on import / export of several products : new market opportunities**
- **TRAVEL TO RUSSIA**

Quarantine for 2 weeks for all people coming from UE countries, China, Iran, South Korea, the USA, Great Britain, Ukraine, Belarus

FOCUS ON KAZAKHSTAN

- **taxpayers** classified as micro, small or medium-sized enterprises were granted a **deferred payment** period for all taxes and other mandatory payments to the budget as well as for social payments until 1 June 2020
- **ban on export** from the territory for certain products *buckwheat, buckwheat groats, sugar, potatoes, sunflower seeds, sunflower oil* was introduced
- **Quotas to export** from Kazakhstan of wheat flour or wheat-rye flour; soft wheat and meslin; seed potatoes; raw sunflower oil, unrefined in primary packages with a net volume of 10 liters or less; raw sunflower oil, unrefined in primary packages with a net volume of more than 10 liters
- «red and yellow channels» at the border
- VAT rates of 8% are established for imports of goods included in the list of socially essential food products (applicable till the end of October)
- on-site scheduled Customs inspections cancelled
- property tax rate "0" for legal entities
- land tax rate "0" for agricultural land of agricultural producers
- export customs duty (ECD) rate "0" until the end of this year for exported light oil products



EUROPEAN UNION

- **The transport** : no limitations

Truck border crossing time : <https://covid-19.sixfold.com/>

- **Travels allowed between UE** and Algeria, Australia, Canada, Georgia, Japan, Montenegro, Morocco, New Zealand, Rwanda, Serbia, South Korea, Thailand, Tunisia, Uruguay, China (subject to confirmation of reciprocity).

Updates on

<https://data.consilium.europa.eu/doc/document/ST-9208-2020-INIT/en/pdf>



LISTE DES PAYS AUTORISÉS À VOYAGER DANS L'UE



A world map with a dark blue background. Countries authorized for travel within the EU are highlighted in red. These include: Algeria, Morocco, Tunisia, Georgia, Montenegro, Serbia, Canada, Uruguay, Rwanda, Australia, New Zealand, China, South Korea, Japan, and Thailand. The map shows the global distribution of these countries across all continents.

Algerie
Maroc
Tunisie
Géorgie
Monténégro
Serbie
Canada
Uruguay
Rwanda
Australie
Nouvelle-Zélande
Chine
Corée du Sud
Japon
Thaïlande

EUROPEAN UNION

- **exportation of certain products subject to the production of an export authorization** : limitation no longer applicable since May 25th 2020
- **Customs issues related to the COVID-19 emergency** on https://ec.europa.eu/taxation_customs/covid-19-taxud-response/guidance-customs-issues-related-covid-19-emergency_en
- EU restrictive measures against Russia extended until **31 January 2021**

More information on
https://europa.eu/newsroom/sites//newsroom/files/docs/body/1_act_part1_v2_en.pdf



BELGIUM



• Journeys

In Belgium

- You are allowed to move around freely.
- If you are using public transport (bus, tram or train) and are you older than 12 years of age, wear a face mask or a scarf covering your mouth and nose.

Abroad

- Non – essential travels limited to the European Union countries, United Kingdom, Switzerland, Liechtenstein, Iceland, Norway and [some countries outside of Europe](#).
Rules may be different in each country. Check the rules on <https://diplomatie.belgium.be/en> or on [the website of the European Union](#)
- For essential travels, no limitation for: mariners, persons attending meetings of international organisations, students and highly qualified personnel (!with VISA!)
- EU+ citizens and third-country nationals legally residing in the European Union, as well as their family members, can travel wherever they wish in the EU+, including Belgium, and no longer only in their country of residence

BELGIUM



- **ECONOMIC ACTIVITY**

General information about different measures applicable in Belgium: <https://www.info-coronavirus.be/en/faq/>

Emergency support for Belgian based companies (aids and subsidies):

In Brussels: <https://hub.brussels/en/services/covid-19-emergency-support-for-brussels-based-companies/>

In Flanders: <https://www.flandersinvestmentandtrade.com/invest/en/news/covid-19-measures-limit-business-impact-in-flanders>

In Wallonia: <http://www.awex-export.be/fr/les-entreprises-wallonnes-et-le-covid19>

Among others: postponement of the tax filing deadline, deferred payment of personal income tax, withholding tax, VAT and social security contributions, financial incentives (ex: 4,000 EUR for companies which were forced to close), Employee incentive premium; facilities for temporary unemployment etc...

Belgium : legal protections during Covid crisis

- Temporary moratorium for companies
- Freezing of insolvency actions against Belgians debtor's
- Freezing of seizures of goods of Belgian companies (not applicable since the end of June)
- Postponement of Shareholder Meetings for approval of the annual accounts

Legal issues : is the coronavirus a valid excuse for breach or not fulfillement of the contract?

- Force majeure: unforeseeable circumstances that prevent someone from fulfilling a contract
- Force majeure prevents the contracting party from being considered responsible for breach of contract. After all, no one is bound by the impossible
- CORONAVIRUS = Force majeure ? NO
- Restrictive governmental measures = force majeure? : YES



PRAVOLEX

адвокаты - advocaten - avocats - lawyers

THANK YOU FOR YOUR ATTENTION

Anna Sussarova

Lawyer, managing partner

www.pravolex.be