

June 2023

Providing medicines, medical devices and other humanitarian assistance to Ukraine

Time to read: 8 minutes

As of the beginning of 2023, according to official data, at least 1,200 healthcare institutions in Ukraine have been damaged, and about 200 of them have been completely destroyed. It is not just the medical infrastructure that has been affected, the war causes high civilian casualties every day and forces people to move within and outside the country. Many international organizations, businesses and individuals want to support Ukraine in this struggle and send humanitarian aid. We express our sincere gratitude for your support, which is extremely valuable and lifesaving in a very difficult period. The following information is intended to facilitate for all interested parties the process of sending, delivering and receiving charitable support to Ukraine, first of all, healthcare products: medicines, medical devices, etc. and **is updated as of June 2023**.

The following information is relevant specifically for humanitarian aid, which is defined by current legislation exclusively as non-returnable and free of charge, i.e. such that does not provide for monetary, material or other compensation to donors.

General information

For the period of martial law, the usual Procedure for customs clearance of humanitarian aid cargoes, approved by the Resolution of the Cabinet of Ministers of Ukraine (hereinafter – “the CMU”) No. 544 dated 22.03.2000, does not apply. According to [part 7 of Article 15 of the Law of Ukraine "On Humanitarian Aid"](#), for the period of martial law, the CMU has the right to recognize certain categories of goods as humanitarian aid without carrying out the procedure for recognizing such goods as humanitarian aid in each specific case. Currently, the procedure for importing humanitarian aid into the customs territory of Ukraine is regulated by the [Resolution of the CMU No. 174 dated 01.03.2022](#) (hereinafter “Resolution No. 174”), according to which the declarative principle applies, i.e. goods of any category are recognized as humanitarian aid on the basis of a declaration submitted at the border crossing in the form approved by the specified resolution of the CMU.

Recognition of goods crossing the customs border of Ukraine as humanitarian aid is a key condition for exemption from value added tax and import duty. In addition, humanitarian aid is currently not subject to non-tariff regulation. Thus, the procedure for importing humanitarian aid is maximally simplified. In addition, foreign donors are not currently required to provide quality certificates or obtain special permits for the import of humanitarian aid, and goods may not contain labeling in the Ukrainian language.

Both legal entities and individuals can become donors. To do so, the donor and the recipient need to fulfill a simple requirement to exchange an offer and consent to it, which is done through free-form correspondence. Confirmation of the initiated process of transfer of humanitarian aid is the recipient's response - consent to receive the aid offered by the donor. The recipient can be either a legal entity included in the Unified Register of Recipients of Humanitarian Aid or a person not included in the

Register who is not currently automatically included in the Register. The latter issue is currently being improved by the Ministry of Social Policy of Ukraine.

Crossing the customs border of Ukraine

When crossing the customs border of Ukraine, the carrier of any humanitarian aid must submit a [declaration](#) in the form established in Annex 1 to the Resolution No. 174. The declaration form can be taken directly at the customs office or filled out in electronic form in advance through the [official service](#) of the State Customs Service (hereinafter "the SCS"). The forms filled out in this way are automatically sent to the SCS database, and the applicant receives the duplicate to the specified e-mail. The duplicate must be printed, signed and handed over to the customs representative at the border crossing. Goods must be declared in full.

Thus, the procedure for both parties will be approximately as follows:

1. The recipient creates a request for assistance.
2. The donor prepares an offer (gift letter) and sends it to the recipient. In response, the recipient sends a confirmation letter of readiness to accept the offer.
3. The declarant (the party who declares the specified cargo to the customs) fills out a declaration for customs clearance online or directly at the border.
4. After passing the control, the humanitarian cargo is transferred at the appropriate point to the recipient by signing the act of acceptance and transfer of material assets (humanitarian aid).

Import of humanitarian aid to Ukraine

Medicinal products, medical devices, biocides, cosmetics and hygiene products provided as humanitarian aid are imported into Ukraine on the same declarative basis as other goods, so during martial law they are not subject to state registration and are not subject to state quality control.

For medicines, an important condition is their shelf life - if the expiration date of the goods has expired at the time of crossing the border and there is no documentary evidence of the possibility of their consumption, they will not be allowed into the customs territory of Ukraine at all. Currently, transportation of medicines is allowed by all available methods:

- public transport (including passenger transport);
- via postal operators;
- in baggage shipments;
- by rail transport, taking into account the features established by the [Resolution of the CMU No. 379 dated 27.03.2022](#).

In the case of transportation of goods by a logistics company, it is worth checking whether it has the appropriate license. However, regardless of the method of transportation of medicinal products, the conditions of transportation must be observed, which must ensure that the storage conditions are in accordance with the requirements set by the manufacturer. Thus, it must be possible to prove that the medicinal products were not in conditions that could jeopardize their quality and integrity. Therefore, measures must be taken to protect them from damage, spoilage and falsification. For example, medicines that require special temperature storage conditions require specially equipped transport.

Prohibited goods for import

It should be borne in mind that there are groups of goods that are prohibited for import into the customs territory of Ukraine, in particular:

1. Goods originating from the territory of Russia, as defined [in the list in the Annex to the Resolution of the CMU No. 1147 dated 30.12.2015](#). This ban is in place until December 31, 2023 inclusive, but may be extended for a further period by the decision of the authorities.
2. Narcotic, psychotropic, potent poisonous drugs.
3. Goods imported in violation of intellectual property rights.

Narcotic drugs, psychotropic substances and precursors as humanitarian aid, which Ukraine also needs to ensure the proper provision of health care under martial law, can be received only by authorized state institutions, as defined by [the Order of the Ministry of Health of Ukraine No. 474 dated of 12.03.2022](#).

In case of import of humanitarian aid by volunteers who do not have a registered legal entity, they are subject to the rules and restrictions established by the current legislation of Ukraine for citizens.

Storage and accounting of medical products

Medicinal products may be stored in unlicensed warehouses, but with mandatory compliance with the storage conditions specified by the manufacturer.

In order to account for aid from a foreign donor, the recipient, in addition to the above-mentioned act of acceptance and transfer, needs a customs declaration and a consignment note. The accounting and control over the receipt and use of such goods is carried out on the basis of reports received in accordance with Article 11 of the [Law of Ukraine "On Humanitarian Aid" dated 10/22/1999 No. 1192-XIV](#).

It should be noted that it is the end user of humanitarian aid who carries out incoming control measures and accounting of the received goods. He is responsible for the quality and safety of the goods received as humanitarian aid. The receipt and distribution of medicines, other medical goods and medical equipment in Ukraine is carried out by the State Institution ["Center for Public Health"](#), which is included in the Unified Register of Recipients of Humanitarian Aid and ensures its distribution among hospitals, other institutions and organizations.

Based on [the letter of the State Service of Ukraine on Medicines and Drugs Control dated 01.03.2022 No. 1655-001.1/004.0/17-22](#), during the period of martial law in Ukraine, holders of licenses for the wholesale trade in medicines may supply medicines to entities that do not have pharmaceutical licenses or licenses for medical practice. In particular, medicinal products may be supplied to military administrations, units of the Ukrainian military forces and legal entities engaged in volunteer activities and providing humanitarian assistance. This does not include medicines that are subject to a license for the circulation of narcotic drugs, psychotropic substances and precursors, as well as potent, toxic and radioactive medicines.

How to offer help for Ukraine

If you want to help, but do not know the specific recipient for the aid you can offer to Ukraine, we recommend visiting the official humanitarian aid portal <https://help.gov.ua/> and the HELP UKRAINE CENTER humanitarian foundation <https://helpukraine.center/>.

The HELP.GOV.UA portal provides current information on needs, including those of the Ministry of Health, hotline telephone numbers, interactive instructions for the registration of humanitarian aid and addresses for sending it to logistics centers in Poland, Portugal, Romania, Slovakia, Hungary, Sweden and Italy.

HELP UKRAINE CENTER is a humanitarian foundation that cooperates with the Ministry of Health of Ukraine and the Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine, has warehouses in Chełm, Poland, organizes logistics for the delivery of humanitarian goods to Ukraine and raises funds for their independent purchase. You can send medicines, medical devices and equipment, cosmetics and hygiene products in several ways listed on the organization's website, including postal carriers. HELP UKRAINE CENTER also accepts prescription and potent medicines with restrictions on their circulation.

We support the flow of humanitarian aid to Ukraine free of charge, including our project on electronic instructions for medical devices <https://e-ifu.com.ua/> that can enhance the safety of humanitarian assistance to the user or patient.

If you still need any assistance, feel free to contact us info@cratia.ua, +38 044 332-42-94.