



MANUAL FOR MANUFACTURERS ON HOW TO ARRANGE THE IMPORT AND EXPORT OF THEIR GOODS TO UKRAINE FOR TESTING PURPOSES

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 UKRAINIAN DEFENSE
INNOVATIONS

10.07.2025

INTRODUCTION

This manual is designed for manufacturers located outside of Ukraine who plan to import or temporarily import goods into Ukraine for testing or demonstration purposes. It describes the key steps and provides templates for documents to make the process more clear.

In accordance with Ukrainian law, the regulations described here apply to physical goods. It is important to note that customs clearance is required for all cases of importation of goods into Ukraine. This guide identifies situations where a manufacturer will need special permits from the State Service for Export Control of Ukraine to enter or leave the territory of Ukraine.

We also emphasise that the guide is for general guidance only and does not describe all the details and nuances or exceptions that may apply. Brave1 recommends that you contact professional organisations involved in the international transport of military and dual-use goods for detailed advice on your specific case. In any situation, we emphasise the need to check the relevance of the information provided here with the current legislation.

Please note that Brave1 does not work with manufacturers or their affiliates from Russia, Belarus, and North Korea. In addition, if your company, representatives or affiliates of your company have any connections, contacts, agreements or any other cooperation with entities or individuals from Russia, Belarus or North Korea, we will not be able to cooperate with you either.

LIST OF ABBREVIATIONS AND ACRONYMS

Law of Ukraine "On State Control..."	Law of Ukraine "On State Control over International Transfers of Military and Dual-Use Goods" (as amended): https://zakon.rada.gov.ua/go/549-15 .
Resolution No. 1807	Resolution No. 1807 of 20 November 2003 "On Approval of the Procedure for State Control of International Transfers of Military Goods" (as amended): https://zakon.rada.gov.ua/go/1807-2003-%D0%BF .
Resolution No. 1378	Resolution No. 1378 of 9 December 2022 "On the List of Goods, International Transfers (Imports) of Which Are Not Subject to the Law of Ukraine "On State Control over International Transfers of Military and Dual-Use Goods" during the Period of Martial Law on the Territory of Ukraine" (as amended): https://zakon.rada.gov.ua/go/1378-2022-%D0%BF . English translation of the list of goods which are not the subject of control is provided on the website .
Resolution No. 86	Resolution No. 86 of 28 January 2004 "On Approval of the Procedure for State Control over International Transfers of Dual-Use Goods" (as amended): https://zakon.rada.gov.ua/go/86-2004-%D0%BF .
Resolution No. 1228	Resolution No. 1228 of 12 July 1999 "On granting business entities the right to export and import military goods and goods containing information constituting a state secret" (as amended): https://zakon.rada.gov.ua/go/1228-99-%D0%BF .
SSEC	State Service for Export Control of Ukraine: https://www.dsecu.gov.ua/en .

BASIC INFORMATION

CLASSIFICATION OF GOODS

1. Military goods ([link to the list in the original](#)).
2. Dual-use goods ([link to the list in the original](#)).
3. Other goods (not controlled).

TWO MAIN SCENARIOS THAT CAN BE CONSIDERED

- a. Import of goods.
Only entry into Ukraine—for goods that can be donated or purchased.
- b. Temporary import/export regime.
Temporary importation of goods for a specific purpose for a pre-established and agreed period with subsequent exportation—for goods that are sent exclusively for testing or demonstration.

Depending on these details, the process of goods registration is formed. Below are descriptions of the process for each of these options.

All documents must be submitted in hard copy. Please note that for certain categories of goods subject to enhanced regulation, it may be necessary to submit more documents than described. We emphasise the need to check all the details in accordance with the position of your goods in the regulatory lists.

1A. MILITARY GOODS–IMPORT

Resolution No. 1378 defines the list of items of goods that can be imported into Ukraine without additional control:

- if the goods are on the list, no special permit is required;
- if the goods are not on the list, only special importers designated by the Cabinet of Ministers of Ukraine are entitled to import such goods; the list of importers is determined by Resolution 1228, and an agreement with a special importer who arranges documentary support for the importation will be required; applies to exceptional categories.

1B. MILITARY GOODS–TEMPORARY IMPORT/EXPORT

If your goods belong to the military (the general list is defined by Resolution No. 1807) and you want to import them temporarily, you need to obtain a permit from the SSEC.

To do this, you need to submit the following list of documents to the SSEC:

- a cover letter;
- an application form;
- the original document confirming the intermediary's right to transport the goods (if the temporary import/export is carried out by an intermediary);
- a document containing information on the testing, place and period of testing of the goods;
- certified copies of the documents under which the goods are temporarily imported (invitation to testing, contract, etc.)

2A. DUAL-USE GOODS–IMPORT

Resolution No. 1378 defines the list of goods that can be imported into Ukraine without additional control:

- if the goods are on the list, no special permit is required;
- if the goods are not on the list, it is necessary to apply for an import permit for dual-use goods to the SSEC and review the regulation of Resolution No. 86.

Documents for obtaining an import permit for dual-use goods:

- cover letter;
- application form according to the template;
- original document confirming the right of the intermediary to supply the end user (if the import is carried out by an intermediary);

**if the intermediary's participation is specified in the end-user certificate or import certificate submitted with the application, such document is not required.*

- original documents containing the obligations of each intermediary to transfer the goods to another intermediary or end user specified in the end user certificate or import certificate.

2B. DUAL-USE GOODS–TEMPORARY IMPORT/EXPORT

If your goods are dual-use (the general list is defined by Resolution No. 86) and you want to import them temporarily, you need to obtain a permit from the SSEC.

Documents for obtaining a permit for temporary import/export of dual-use goods:

- cover letter;
- application form;
- a document containing information on testing, place and period of testing of goods;
- certified copies of the documents under which the temporary import of goods is carried out (invitation to testing, contract, etc.);
- the original document confirming the right of the intermediary to supply the goods to the final consumer (if the import is carried out by the intermediary);

**If the intermediary's participation is indicated in the end-user certificate or import certificate submitted with the application, such document is not required.*

- original documents containing the obligations of each intermediary to transfer the goods to another intermediary or end user specified in the end user certificate or import certificate.

3A TA 3B. OTHER GOODS–IMPORT AND TEMPORARY IMPORT/EXPORT

If a product is not listed as a military or dual-use item, it can be imported and exported from Ukraine under general conditions.

In this case, we still recommend that you identify the goods in your country in order to have documentary evidence that the goods do not belong to the controlled categories.

This will ensure easier customs clearance when entering Ukraine.

PRACTICAL STEPS

1. **Agree with Brave¹ on the path of the goods** depending on their specifics and your needs:
 - donation or purchase (import only);
 - delivery only for testing and return back (i.e. the need to import and then export).
2. **Gather introductory information** to understand what kind of clearance process and services you need, namely:
 - find out whether the goods are controlled in Ukraine or not—determine whether the goods are included in the lists of military and dual-use goods or not;
 - determine the time frame in which you want to come for testing.
3. **Find out information about the organisation of the export of goods from your country**—contact a customs broker and an organisation engaged in the international transportation of military and dual-use goods to Ukraine.
4. Depending on the information collected, **choose which of the options outlined above (1A–3B) is right for you** and start the paperwork procedure.
5. It is recommended that you obtain a licence from your export control authority that will identify your goods, namely:
 - determine its purpose (military or dual-use);
 - determine the control item, title of it for control.
6. After obtaining permits from your side and after obtaining a permit for import or temporary import/export of goods to Ukraine (if necessary), **work out the issues of customs clearance** and details of the actual importation.
7. **Come to Ukraine for testing**, successfully conduct it and collect an expert opinion on the results.
8. **Return to your country to process the test results** and negotiate further cooperation with partners in Ukraine (the return of goods to your country under the temporary import/export regime is accompanied by the same documents that you have already prepared, no additional documentation is required).

DOCUMENT TEMPLATES

Application for import and temporary import/export:

[Original \(Ukr\).](#)

[Translation \(English\).](#)

End user certificate:

[Bilingual.](#)

Please note that the translation of the documents is provided for informational purposes only. All documents are considered by SSEC in Ukrainian. If the original documents are in English, they must be accompanied by a certified Ukrainian translation.

TYPICAL MISTAKES IN THE PREPARATION OF DOCUMENTS

- Inconsistencies in titles, terms, names of representatives when submitting documents and in reality, as well as differences in terms between the documents themselves;
- Unclear indication of the purpose, transporting entities and recipients, conditions of transportation;
- Submission of a licence from your country instead of a certificate from the State Service for Export Control of Ukraine when submitting documents for temporary import/export.

For more information on common mistakes, please [follow the link](#).

COMPLEX CASES

Simultaneous import of different types of goods

If you are importing two goods at the same time, one of which is controlled and the other is not, you need to go through the registration procedure only for the controlled goods. In this case, additional questions may arise at the customs control when crossing the border regarding the absence of permits for the other goods.

In order to pass customs control as quickly and smoothly as possible, we recommend that you have proof that other goods are not controlled. Such confirmation, which will help to pass the identification, can be documentation from the manufacturer or an export licence from the export control service of your country, which will contain an item on the list of goods that are not controlled.

Goods registered for temporary import/export are damaged during testing

Temporary import/export of goods is carried out using the same documents that you receive at the beginning of the process. If the goods are only damaged (i.e., you can tell what kind of goods they are), then you can export them under the same conditions.

The manufacturers decided during the testing that they do not want to take the product back (it was severely damaged / the manufacturer is donating it / other reasons)

If the goods were registered under the temporary import/export procedure, but the manufacturer wants to keep them in Ukraine in specific cases that must be confirmed, this can be done.

To do this, it is necessary to submit a package of documents with justification and confirmation of the need for changes in registration and include a letter of request for termination of the temporary import regime.

The same regulations apply to the situation when the goods were completely destroyed during testing.