



REUTERS/ Eva Korinkova

MOVEMENT OF PERSONAL PROTECTIVE EQUIPMENT

For journalists operating in hostile environments, having the correct safety equipment can be the difference between life and death. Nowhere has this been clearer than in Ukraine, where personal protective equipment (PPE) was in short supply, and where journalists have been gravely - and even fatally - injured throughout the country. Access to equipment like helmets and bulletproof vests or flak jackets is essential. Unfortunately, this PPE can be prohibitively expensive, and difficult for many journalists to source. The rules governing its transportation across borders can also pose challenges due to the variety of legislative frameworks across the region and a lack of clarity around which countries classify PPE as military gear or occupational safety equipment.

This guide is intended to provide user-friendly, practical guidance to journalists needing to quickly understand what PPE can be moved from neighboring countries into Ukraine.



MOLDOVA

How is PPE defined?

Moldovan health and safety law defines 'personal protective equipment' as any equipment intended to be worn or carried by the worker to protect them against one or more hazards which could endanger their health and safety whilst at work, as well as any additional equipment or accessories designed for that purpose.¹

Flak jackets and helmets are also defined within various firearm-related and military laws,² in which they are deemed to be special means to be used and worn only by officers of expressly regulated bodies, authorities and institutions (e.g. Ministry of Defence, Ministry of Internal Affairs, National Anticorruption Center, Security and Intelligence Service etc.).

What are the rules governing the movement of PPE across borders?

PPE (except for flak helmets and flak jackets) may be generally introduced into and taken outside the territory of the Republic of Moldova (including at the border with Ukraine), provided that relevant export provisions are observed.³ This includes complying with any required declaration procedure and payment of taxes.

Flak jackets and flak helmets are deemed to be strategic goods, and their import, export, and transit are subject to special authorisations strictly and expressly regulated.⁴



HUNGARY

How is PPE defined?

Hungarian health and safety law defines PPE as:

1. any equipment, worn or carried by the worker in order to reduce any hazard that could emerge from them executing work tasks, caused by the work process itself, or by the technology used in connection with the work process, under a level, which does not pose any health risks;
2. PPE can also be any additional equipment, supporting the achievement of the goal described in point (1).⁵

What are the rules governing the movement of PPE across borders?

There is no obstacle for journalists to carry PPE (which explicitly includes flak jackets and helmets) for personal protection when crossing the border.⁶ There are also no laws or regulations explicitly limiting the quantity of PPE. However, it can be inferred that as much PPE can be transferred as is necessary for the individual's own protection.



SLOVAKIA

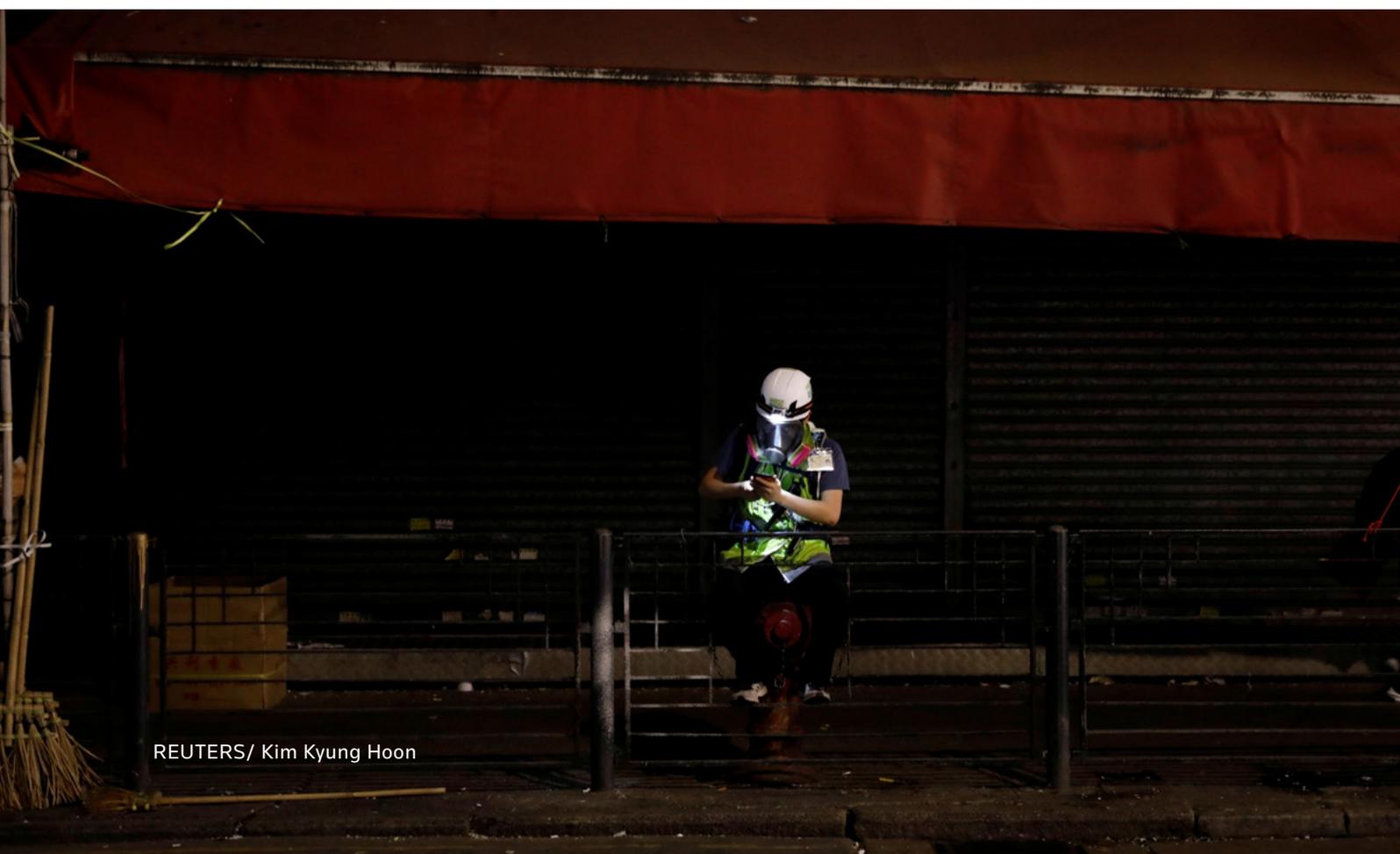
How is PPE defined?

There is no definition of PPE under Slovak law. However, in general, PPE can be categorised as defence industry products. Defence industry products are understood as, inter alia, products, their functional parts, accessories and spare parts which are, with regard to their typical technical and structural qualities, intended particularly to be used by armed forces, armed security corps, other armed corps, and which are used to perform tasks related to state defence and safety.⁷

What are the rules governing the movement of PPE across borders?

Generally, an export of military products from Slovakia abroad is a licensed activity.⁸ Every defence industry product is considered to be a military product and requires a licence.⁹ However, helmets, personal ballistic protection or protective clothing which the user is wearing for their own personal protection is exempt from this licence requirement.¹⁰ Thus, PPE, such as helmets and flak jackets, should be clearly marked as for personal protection only and distinct from other military equipment.

There are also no laws or regulations explicitly limiting the quantity of PPE, however to be cautious only a reasonable amount of equipment should be carried to indicate that the PPE is being used exclusively for personal protection and not for the further distribution.





POLAND

How is PPE defined?

Whether certain equipment qualifies as PPE or not is irrelevant for the movement of this equipment across borders. However, for guidance, Polish health and safety law states that “an employer shall provide the necessary personal protective equipment to the employee, free of charge, to protect them from agents in the work environment that are hazardous and harmful to health and inform the employee on how to use that personal protective equipment.”¹¹ This refers to “any equipment worn or held by an employee to protect them against one or more risks related to hazardous or noxious agents in the working environment, including any accessory intended for that purpose.”¹² Flak jackets and helmets are excluded from this definition on the basis that they are “measures for self-defence or deterrence.”¹³

Flak jackets and helmets are listed within various military laws and regulations. For example, they are considered products for military or police use and can only be sold to certain professionals, mainly to armed forces and to law enforcement agencies, but also to security companies.¹⁴

What are the rules governing the movement of PPE across borders?

Export and import approvals are not required with regard to the movement of flak jackets and helmets in such quantities that are necessary for the personal protection of the person who crosses a border.¹⁵ If beyond this quantity, or for a purpose that is beyond personal protection, flak jackets and helmets (among other armaments) will be subject to approval.¹⁶ In light of the current situation in Ukraine, however, these restrictions were lifted to and including 31 December 2022 to facilitate delivering supplies to Ukraine. Please find more details [here](#).

Endnotes

- 1 [Law on health and safety at work no. 186](#) dated 10 July 2008.
- 2 [Law on the application of physical force, of special means and firearms no. 218](#) dated 19 October 2012; [Government Decision on the approval of the Nomenclature of special means, types of firearms and related ammunition, as well as their application rules no. 474](#) dated 19 June 2014.
- 3 [Law on the procedure of importing goods to and exporting goods from the territory of the Republic of Moldova by individuals no. 1569](#) dated 20 December 2002 and the [Moldovan Customs Code](#) dated 20 July 2000.
- 4 [Law on the control of export, re-export, import and transit of strategic goods no. 1163](#) dated 26.07.2000 and the [Government Decision on the national system controlling the export, re-export, import and transit of strategic goods in the Republic of Moldova no. 606](#) dated 15 May 2002.
- 5 Section 2(1)(a) of the [Decree of the Minister of Health no. 65/1999 \(XII.22.\) on minimum safety and health requirements regarding PPE used by workers in the workplace](#).
- 6 [Government Decree 156/2017 \(VI. 16.\) on the detailed rules for the licensing of military technical activities and the certification of undertakings. Chapter XIII, section \(ML.13\) \(c\)\(d\) states “the licensing obligation does not pertain to those helmets, flak jackets and their parts, which are worn for personal protection.”](#)
- 7 Section 3(a) of [Slovak Act No. 392/2011 Coll. on Trading with Defence Industry Products and on amendments and supplements to certain acts](#).
- 8 [Slovak Act No. 392/2011 Coll. on Trading with Defence Industry Products and on amendments and supplements to certain acts](#)
- 9 [Measure No. 1/2021 issued by the Ministry of Economy of the Slovak Republic](#).
- 10 Note 3 to [VM 13 of Measure No. 1/2021](#).
- 11 Article 2376(1) of the [Labour Code of 26 June 1974](#).
- 12 Para. 1(2)(9) of the [Regulation of the Minister for Labour and Social Policy of 26 September 1997 on the general rules of occupational health and safety](#).
- 13 Para. 1(2)(9) of the [Regulation of the Minister for Labour and Social Policy of 26 September 1997 on the general rules of occupational health and safety](#).
- 14 [Act of 13 June 2019 on the exercise of economic activity in the field of manufacturing and marketing of explosives, weapons, ammunition, products and technology for military or police use](#).
- 15 [Regulation of the Minister of Economic Development and Technology on the list of arms which require authorisation for trade](#).
- 16 [Act of 29 November 2000 on foreign trade in goods, technologies and services of strategic importance to the security of the State, and to maintaining international peace and security; Regulation of the Minister of Economic Development and Technology on the list of arms which require authorisation for trade](#).

FURTHER INFORMATION

COMMITTEE TO PROTECT JOURNALISTS

The Committee to Protect Journalists (CPJ) is an independent, non-profit organisation that promotes press freedom worldwide. We defend the right of journalists to report the news safely and without fear of reprisal. Every year, hundreds of journalists are attacked, imprisoned, or killed. For more than 40 years, CPJ has been there to defend them and fight for press freedom. With a team of more than 50 experts based around the world, CPJ documents and denounces press freedom violations, meets with heads of state and high-ranking officials, spearheads or advises on diplomatic efforts, and works with other organisation to ensure that justice prevails when journalists are jailed or murdered. CPJ also provides comprehensive, life-saving support to journalists around the world through up-to-date safety information and rapid response assistance. For more information about CPJ and the support available to journalists, please visit www.cpj.org.

THOMSON REUTERS FOUNDATION

The Thomson Reuters Foundation works to advance media freedom, foster more inclusive economies, and promote human rights. Through news, media development, free legal assistance and convening initiatives, the Foundation combines its unique services to drive systemic change.

TrustLaw, an initiative of the Thomson Reuters Foundation, is the world's largest pro bono legal network. Working with leading law firms and corporate legal teams, we facilitate free legal support, ground-breaking legal research and resources for non-profits and social enterprises in 175 countries. During challenging times, TrustLaw wants to ensure non-profits and social enterprises have the answers they need to mitigate risks and to keep their organisations up and running. If you have ideas for resources we could develop or [legal research projects](#) that would be of assistance after reading this guide, [please get in contact](#). If you are a non-profit or social enterprise in need of legal support, you can find out more about the service [here](#) and [join TrustLaw](#) for free.

Acknowledgements

The Committee to Protect Journalists and the Thomson Reuters Foundation would like to acknowledge and extend their gratitude to the legal teams of Allen & Overy, BAA Turcan Law and Hogan Lovells, who contributed their time and expertise on a pro bono basis to make this guide possible.

This resource is offered for information purposes only. It is not legal advice. Readers are urged to seek advice from qualified legal counsel in relation to their specific circumstances. The authors and contributors intend the report's contents to be correct and up to date at the time of publication, but they do not guarantee their accuracy or completeness, particularly as circumstances may change after publication. CPJ, the Thomson Reuters Foundation and other contributors do not accept any liability or responsibility for actions taken or not taken or any losses arising from reliance on this report or any inaccuracies herein. In accordance with the Thomson Reuters Trust Principles of independence and freedom from bias, the Thomson Reuters Foundation does not take a position on the contents of, or views expressed in, this resource.