

Agreement on the Basics of Harmonization of Technical Regulations of the Eurasian Economic Community Members

The Governments of the Eurasian Economic Community (hereinafter - the Eurasian Economic Community) Members, hereinafter referred to as the Parties,
in order to facilitate development of integration processes in the EurAsEC;
guided by the Treaty on Customs Union and Common Economic Space of 26 February 1999 and the Treaty establishing the Eurasian Economic Community on 10 October 2000;
striving to eliminate unnecessary barriers in mutual trade;
agreed as follows:

Article 1

In this Agreement the following terms are used:

"standard" - a document developed on the basis of consent of a majority of stakeholders, which with the view of its voluntary reuse established product specifications, rules and characteristics of the processes of production, operation, storage, transportation, realization and utilization, works or services. Standard may also contain requirements for terminology, symbols, packaging, marking or labeling and rules of their application;

"international standard" - a standard adopted an international organization for standardization and accessible to a wide range of users;

"regional standards" - a standard adopted by the regional organization for standardization and accessible to a wide range of users;

"national standard" - a standard adopted by the national standards body and accessible to a wide range of users;

"technical Regulation of the EurAsEC - a document adopted by an international treaty within the EurAsEC and establishing mandatory application and implementation requirements to objects of technical regulation (products, including buildings, structures, processes of production, use, storage, transportation, realization and utilization).

Technical regulations may contain rules and forms of conformity assessment, rules of identification, requirements for terminology, packing, marking or labeling and the rules of their application;

"Products" - results of an activity presented in a material form and intended for further use in commercial and other purposes;

"Conformity confirmation" - a direct or indirect determination of compliance of the object to the requirements of technical regulation.

Article 2

1. EurAsEC Technical regulations are adopted with the view to harmonize the legislation of the States Parties in the sphere of technical regulation, protection of life and health, environmental protection, prevention of activities that mislead consumers, and removing unnecessary barriers in mutual trade.

Adoption of technical regulations of the EurAsEC for other purposes is not allowed.

2. Mandatory requirements to products, production processes, operation, storage, transportation, realization and utilization, rules and forms of conformity assessment, rules for identifying the requirements for terminology, packing, marking or labeling rules and rules of their application contained in EurAsEC technical regulations are exhaustive and may be changed only by amending the relevant EurAsEC technical regulations.

The Parties shall ensure circulation of products that comply with the EurAsEC technical regulation, on the territory of their states without application of additional requirements for products and conformity assessment procedures, except for state supervision.

3. International, regional and national standards and national technical regulations can be fully or partially used as a basis for the development of the EurAsEC technical regulations.

4. This Agreement shall not apply to the establishment and application of sanitary, veterinary and phytosanitary measures.

Article 3

1. In order to streamline the development of EurAsEC technical regulations the Interstate Council of EurAsEC on the level of Heads of Government approves the list of priority EurAsEC technical regulations that shall be developed.

The draft of this list is formed by the Integration Committee of EurAsEC on the proposals of the Parties.

2. Any of the parties guided by the list of priority EurAsEC technical regulations to be developed can submit a proposal to develop EurAsEC technical regulation for to the EurAsEC Integration Committee. The proposal should contain a short feasibility study.

3. Interstate Council of EurAsEC on the level of Heads of Government makes a decision to develop EurAsEC technical regulation, included in paragraph 1 of this article list, on the financing of its development and defines the party (ies) involved in development of the technical regulation.

4. The procedure for development of the EurAsEC technical regulations are annexed, and are an integral part of this Agreement.

Article 4

Each Party gives effect to the EurAsEC technical regulation in accordance with the national laws and notify the Secretariat of the Integration Committee of EurAsEC on the date on which the

technical regulation starts to be applied. Notification and a copy of the legal act on the implementation of the EurAsEC technical regulations are directed by the Party within 30 days after the adoption of the act.

Article 5

Amendments to this Agreement shall be made by mutual agreement of the Parties and shall be fixed in a protocol.

Article 6

Coordination of works on implementation of the Agreement is done by the Integration Committee of EurAsEC, which is the depositary of this Agreement.

Article 7

Each Party may withdraw from this Agreement by written notification to the depositary. The Agreement for that Party shall terminate in 6 months from the date of receipt by the Depositary of the notification.

Article 8

Disputes concerning the application or interpretation of the provisions of this Agreement shall be settled through consultations and negotiations between the parties or the Court of the EurAsEC.

Article 9

This Agreement shall enter into force on the date of receipt by the depositary of the last written notification of the Parties about the internal procedures required for its entry into force.

Done in Astana on 24 March 2005 in one original copy in Russian. The original copy is stored in the EurAsEC Integration Committee, which shall send to each Party a certified copy.

Republic of Belarus

Republic of Kazakhstan

Kyrgyz Republic

Russian Federation

Republic of Tajikistan

Republic of Uzbekistan