

AGREEMENT
on Unified Principles and Rules of Technical Regulation in the Republic of Belarus,
Republic of Kazakhstan and the Russian Federation

The Republic of Belarus, Republic of Kazakhstan and the Russian Federation hereinafter referred to as the Parties,
for the purpose of deepening and acceleration of integration processes in the Customs Union within the Eurasian Economic Community (hereinafter referred to as the “Customs Union”) and formation of the United Economic Field,
taking into account provisions established by the Agreement on the Basics of Harmonization of Technical Regulations of the Eurasian Economic Community Members dated the 24th of March 2005, the Agreement on Implementation of Coordinated Policy in the Field of Technical Regulation, Sanitary and Phytosanitary Measures of 25 January 2008, the Agreement on Circulation of Goods Subject to Mandatory Assessment (Confirmation) of Compliance, on the Customs Territory of the Customs Union of 11 December 2009, the Agreement on Mutual Recognition of Accreditation of Certification (Conformity Assessment (Confirmation)) Bodies and Testing Laboratories (Centers) Conducting Works on Conformity Assessment (Confirmation) of 11 December 2009 and the Agreement on the Commission of the Customs Union of 6 October 2007,
have agreed to the following effect:

Article 1

1. Terms used in this Agreement shall have the following meanings:
“declaration of compliance with technical regulations of the Customs Union” – the document by which the manufacturer (a person authorized by the manufacturer, supplier, seller) certifies compliance of the products released for circulation with requirements of technical regulations of the Customs Union;
“declaration of compliance” – the form of confirmation by the manufacturer (a person authorized by the manufacturer, supplier, seller) of compliance of the products released for circulation with requirements of technical regulations of the Customs Union;
“Unified mark of circulation of products in the market of states-members of the Customs Union” – the designation serving for informing purchasers and consumers on compliance of products released for circulation with requirements of technical regulations of the Customs Union;
“certificate of compliance with technical regulations of the Customs Union” – the document by which the authority for certification (assessment (confirmation) of compliance) certifies compliance of the products released for circulation with requirements of technical regulations of the Customs Union;
“certification” – the form of mandatory confirmation by the authority for certification (assessment (confirmation) of compliance) of compliance of the products released for circulation with requirements of technical regulations of the Customs Union;
“technical regulations of the Customs Union” – the document stipulating requirements mandatory for application and fulfillment in the customs territory of the Customs Union as regard to products or products and related processes of production, assembly, set-up, operation (use), storage, transportation, realization and utilization, as approved by the Commission of the Customs Union;
“typical scheme of assessment (confirmation) of compliance” – the set of rules and procedures establishing standard methods of execution of works relating to assessment (confirmation) of compliance with technical regulations of the Customs Union.
Other terms used in this Agreement on Implementation of Coordinated Policy in the Field of Technical Regulation, Sanitary and Phytosanitary Measures of the 25 January 2008.

2. This Agreement shall not be applied to establishment and application of any sanitary, veterinary-sanitary and phytosanitary measures.

Article 2

1. The Parties shall carry out reconciliation polic

realization and utilization, as well as rules of identification, forms, schemes and procedures of assessment (confirmation) of compliance.

The technical regulations of the Customs Union may also contain requirements to terminology, package, marking, labels and rules of application thereof, sanitary, veterinary-sanitary and phytosanitary requirements and procedures.

Technical regulations of the Customs Union shall be developed in accordance with the Recommendations on the standard structure of the technical regulations of the Eurasian Economic Community, approved by Resolution of the Inter-State Council of the Eurasian Economic Community dated the 27th of October 2006 No. 321.

4. The basis for development of technical regulations of the Customs Union is relevant international standards (rules, directives and recommendations and other documents issued by international organizations for standardization), other than in cases when relevant documents are absent, do not comply with purposes of adoption of technical regulations of the Customs Union, in particular, due to climatic and geographical factors or technological and other particularities and in the absence thereof – regional documents (regulations, directives, resolutions, standards, rules and other documents), national (state) standards, national technical regulations or drafts thereof.

5. Technical regulations of the Customs Union may contain specific requirements reflecting particularities associated with climatic and geographical factors of the Parties or technological particularities and effective only in the territory of the Parties.

Article 5

1. The procedure for development, adoption, amendment and cancellation of technical regulations of the Customs Union are to be set by the Commission.

2. The procedure for introduction into force of the adopted technical regulations of the Customs Union and if necessary transition provisions is to be determined by the technical regulations of the Customs Union and (or) resolution of the Commission on adoption thereof.

3. Since the effective date of the technical regulations of the Customs Union, relevant binding requirements established by laws of the Parties shall not be applied in the territories of the Parties.

Article 6

1. For the purpose of assessment (confirmation) of compliance with requirements of the technical regulations of the Customs Union, international, regional standards may be applied and in the absence thereof (until adoption of regional standards) – national (state) standards of the Parties.

2. For the purpose of fulfillment of requirements under the technical regulations of the Customs Union, the Commission shall approve the list of international and regional standards and in the absence thereof – national (state) standards of the Parties voluntary application whereof ensures observance of requirements of the adopted technical regulations of the Customs Union.

3. For the purpose of research (testing) and measurements within the framework of assessment (confirmation) of compliance of the products with requirements of the technical regulations of the Customs Union, the Commission will approve the list of international and regional standards and in the absence thereof – national (state) standards of the Parties containing rules and methods of research (testing) and measurements including rules on taking samples required for application and fulfillment of requirements of the adopted technical regulations of the Customs Union and assessment (confirmation) of compliance of the products.

Article 7

1. Products with regard to which technical regulations of the Customs Union are adopted, shall be released for circulation in the customs territory of the Customs Union provided that they have passed through necessary procedures of assessment (confirmation) of compliance described in the technical regulations of the Customs Union.

Assessment (confirmation) of compliance of products provided for in the technical regulations of the Customs Union shall be made in form of registration, testing, confirmation of compliance (declaration of compliance, certification), expertise and (or) in any other form.

2. Mandatory confirmation of compliance of the products with requirements of technical regulations of the Customs Union shall be made in form of declaration of compliance or certification. The procedures of assessment (confirmation) of compliance shall be established in technical regulations of the Customs Union on the basis of model schemes of assessment (confirmation) of compliance.

Within the framework of declaration of compliance the applicant may be a legal entity or natural person registered as an individual entrepreneur in accordance with laws of the Party in its territory or the person being the manufacturer or seller or accomplishing the functions of a foreign manufacturer on the basis of a contract concluded with him for ensuring of compliance of the products to be supplied with requirements of technical regulations of the Customs Union and to the extent of liability for non-compliance of supplied products with requirements of technical regulations of the Customs Union (the person accomplishing the functions of a foreign manufacturer). The range of applicants shall be determined in accordance with the technical regulations.

3. Voluntary application of international, regional standards and (or) national (state) standards included into the list mentioned in clause 2 of article 6 of this Agreement is a sufficient condition of compliance with requirements of the relevant technical regulations of the Customs Union.

Failure to apply standards included into that list may not be deemed non-observance of requirements of technical regulations of the Customs Union.

4. Products compliant with requirements of effective technical regulations of the Customs Union applicable to these products and having passed through procedures of assessment (confirmation) of compliance prescribed by technical regulations of the Customs Union will be marked with the unified mark of circulation of products in the market of states-members of the Customs Union.

5. Standard schemes of assessment (confirmation) of compliance, unified forms of documents on assessment (confirmation) of compliance (declarations of compliance with technical regulations of the Customs Union, certificate of compliance with technical regulations of the Customs Union), depiction of the Unified mark of circulation of products in the market of states-members of the Customs Union and the procedure for application thereof shall be approved by the Commission.

Article 8

1. Works associated with assessment (confirmation) of compliance of products with requirements prescribed by technical regulations within the framework of the Customs Union shall be executed by accredited authorities for certification (assessment (confirmation) of compliance) as well as testing laboratories (centers) included into the Unified register of certification bodies and testing laboratories (centers) of the Customs Union to be formed in accordance with the Agreement on Circulation of Goods Subject to Mandatory Assessment (Confirmation) of Compliance, on the Customs Territory of the Customs Union dated the 11th of December 2009.

2. Recognition of results of accreditation works of authorities for certification (assessment (confirmation) of compliance) as well as testing laboratories (centers) executing works associated with assessment (confirmation) of compliance of products with requirements prescribed by technical regulations of the Customs Union shall be effected in accordance with the Agreement on Mutual Recognition of Accreditation of Certification (Conformity Assessment

(Confirmation)) Bodies and Testing Laboratories (Centers) Conducting Works on Conformity Assessment (Confirmation) dated the 11th of December 2009, as well as separate agreements between the Parties.

Article 12

The Parties will form an information system in the field of technical regulations of the Customs Union as a part of the Integrated information system of foreign and mutual trade of the Customs Union.

Article 13

The Commission shall accomplish the following functions since the date of provision with relevant powers:

approval of the Unified list and the procedure for its maintenance;

approval of plans (programs) of development of technical regulations of the Customs Union;

adoption, introduction of amendments and cancellation of technical regulations of the Customs Union;

establishment of the procedure for developm

**On behalf of the Republic of
Belarus**

**On behalf of the Republic of
Kazakhstan**

**On behalf of the Russian
Federation**