

**TREATY  
ON A FREE-TRADE AREA  
(St. Petersburg, October 18, 2011)**

The member states of the Commonwealth of Independent States, hereinafter referred to as the Parties,

Taking into account the necessity of proper and efficient functioning of the free-trade area,  
For the purpose of formation of conditions for a free flow of goods;

Understanding the necessity of being integrated into the world economy and international trade system;

Being guided by a desire for a constant rise in the living standards of the population of its states,

Proceeding from the assumption that provisions of this Treaty are applicable to trade in goods between the Parties,

And recognizing generally accepted norms of international law and being guided by the norms of the WTO agreements, in particular GATT 1994, including Article XXIV of GATT 1994,

Have agreed as follows:

**Article 1  
Definitions**

1. Definitions used in this Treaty shall mean the following:

**WTO** - World Trade Organisation, created in accordance with the Marrakech Agreement on Establishing the World Trade Organization, signed on April 15, 1994;

**GATT 1994** - General Agreement on Tariffs and Trade of 1994 contained in Annex 1A to the Agreement on the Establishment of a World Trade Organisation of April 15, 1994;

**payments equivalent to customs duties** - payments collected at importation or exportation of goods, and also in other cases established by the national legislation of a Party analogous, by the purposes and economic effect, to customs duties which are not customs duties, a compensation for the value of services rendered in connection with the carrying out of procedures for importation or exportation and are not connected with the application of safeguard, antidumping, countervailing measures in mutual trade;

**import of goods** - importation of goods onto the customs territory of a Party without the obligation on re-export;

**export of goods** - exportation of goods from the customs territory of a Party without the obligation on re-import;

**re-export** - exportation of a commodity originating from the customs territory of one of the Parties from the customs territory of another Party to third countries;

**authorized export** - re-export of a commodity in whose respect a Party which is the country of origin of such commodity establishes or maintains customs duties in its export to third countries effectuated in the presence of a properly drawn up written permit issued by the authorised body of the country of origin of the goods;

**unauthorized re-export** - re-export of a commodity in whose respect a Party which is the country of origin of such good establishes or maintains customs duties in its export to third countries effectuated without a properly drawn up written permit issued by the authorised body of the country of origin of the goods.

2. When using in this Treaty references to provisions of GATT 1994 or to any other international treaties concluded within the WTO, the terms contained therein "contracting Party/Parties" or "member/members" shall mean, respectively, Party/Parties as they are defined in the preamble of this Treaty.

## Article 2

### Application of Customs Duties and Payments Equivalent to Customs Duties

1. A Party shall not apply customs duties and any other payments equivalent to customs duties with respect to export of goods intended for the customs territory of another Party, and/or to import of a good originating from the customs territory of another Party, except for the cases stipulated in Annex 1 to this Treaty.

2. The Parties shall not increase the level of custom duties in mutual trade of goods mentioned in Annex 1 to this Treaty.

3. If a Party applying an export duty according to Annex 1 to this Treaty has abolished it or reduced its level with respect to a third country, then it is applicable with respect to the Parties. This applies without prejudice to the provisions of Article 18 of this Treaty.

4. Unless otherwise stipulated by this Treaty, customs duties shall not be applied in a manner which would lead to the increase of discrimination between Parties and third countries.

5. If with respect to the goods mentioned in Annex 1 to this Treaty there is stipulated a mechanism of changing the rates of a duty depending on the change in economic, statistical or other indicators, except for the customs value of goods, then the Parties shall not change such mechanism in a way that would increase the level of tariff protection.

6. A state which has acceded to this Treaty shall not apply any customs duties with respect to the export or import of goods originating from the customs territories of the other Parties and intended for the customs territories of the other Parties in a manner which would lead to an increase of the duty rate as compared with the one that was applied by the acceding state with respect to the other Parties as on the date of the entry into force of this Treaty, unless otherwise results from the procedure for establishing a duty which is used as on the date of entry into force of this Treaty.

7. Nothing in this Article shall prevent any Party from collecting with respect to the import of goods:

obligatory payment, equivalent in accordance with the provisions of Article 5 of this Treaty, to the internal tax levied on goods, if such goods are produced on the territory of this Party, or on goods from which the imported goods were fully or partly manufactured or produced, or a payment connected with the application of domestic taxes on imported goods in accordance with the provisions of Article 5 of this Treaty;

duty to be applied in accordance with the provisions of Articles 8 and 9 of this Treaty.

8. None of the provision of this Article shall prevent a Party from collecting, with respect to the import or export of goods, any fees based on the cost of rendered services and to be applied in accordance with the provisions of paragraph 1 of Article VIII of GATT 1994.

9. A Party shall not change methods and procedure for establishing and applying the fees stipulated by paragraph 7 of this Article in a manner which would lead to an increase of the size of the fee as compared with the size of the fee to be applied by the Party as on the date of entry into force of this Treaty without increasing the value of the services rendered unless such change is aimed at a fuller reflection of the level of the value of the services rendered.

10. Within 30 days from the date of entry into force of this Treaty the Parties shall notify one another about the fees stipulated by paragraph 8 of this Article.

11. In case if a Party applies zero or reduced rates of export duties on export to the customs territories of the other Parties as compared with the duty rates applied with respect to the export of goods intended for the customs territories of third countries, then such other Parties shall prohibit unauthorized re-export of such goods.

In case if such prohibition has not been established or has not actually been applied, then a Party applying zero or reduced export-duty rates on export to the customs territories of other Parties may increase them to the level applied on export to the customs territories of third countries.

12. The Parties may, within the framework of bilateral arrangements, agree on other methods of regulating the relations stipulated by paragraph 11 of this Article not stipulating the introduction of prohibition on re-export.

13. Within 30 days from the date of entry into force of this Treaty, each Party shall, in writing, notify the other Parties about the goods in whose export to third countries customs duties shall be collected, and also about the sizes of the rates (and, when applicable, about the mechanism for calculating the rates) of such customs duties.

14. Any changes of the list of the goods mentioned in paragraph 13 of this Article, as well as any changes of the rate sizes or of the mechanism for calculating the customs-duty rates mentioned in paragraph 13 of this Article shall be notified, in writing, by each Party to other Parties not later than 30 days before the date of entry into force of such changes.

15. The Parties have agreed to negotiate reduction and gradual abolition of export duties mentioned in Annex 1 to this Treaty. The first round of such negotiations shall take place within six months after the entry into force of this Treaty.

The results of such negotiations shall be formalized by protocols.

### **Article 3** **Abolition of Quantitative Restrictions in Mutual Trade**

1. None of the Parties shall establish and/or maintain on import of any goods from the territory of another Party or for export of any goods intended for the territory of another Party, any prohibitions or restrictions other than those permitted by Article XI of GATT 1994, including by the Notes and supplementary provisions to that Article, and also by Articles 8 and 9 of this Treaty.

2. Prohibitions and restrictions which are subject to abolition in accordance with paragraph 1 of this Article and which are effective on the moment of entry into force of this Treaty, shall be abolished according to the schedule stipulated by Annex 2 to this Treaty which is an integral part thereof.

3. A Party establishing certain quantitative restrictions permissible in accordance with paragraph 1 of this Article, shall, in advance, inform the other Parties about the reasons for the establishment, forms and possible periods of application of such restrictions affecting interests of the Parties, with justification of such action.

4. The Parties shall settle all issues arising in connection with the application of permissible quantitative restrictions by means of consultations.

5. In selecting the measures in accordance with this Article, the Parties shall give priority to those of them which least negatively affect the achievement of purposes of this Treaty.

6. In applying any quantitative restrictions, the Parties shall comply with the provisions stipulated by Article XIII of GATT 1994.

### **Article 4** **Determination of the Country of Origin of Goods**

1. For determining the country of origin of goods which originate from the Parties and are in trade turnover among them, the Parties shall be guided by the Rules for Determining the Country of Origin, which are an integral part of the Agreement on the Rules for Determining the Country of Origin of Goods in the Commonwealth of Independent States of November 20, 2009.

2. The procedure for determining the country of origin of goods originating and imported onto the customs territories of the Parties from third countries, shall be governed by the national legislation of the Parties and by the international treaties ratified by the Parties.

### **Article 5** **National Regime**

The Parties shall grant national treatment to each other in accordance with Article III of GATT 1994.

## **Article 6**

### **Government Procurement**

1. With respect to all laws, normative acts, procedures and practice concerning government procurement under paragraph 8(a) of Article III of GATT 1994 covered by the provisions of paragraph 3 of this Article, each of the Parties shall grant, with respect to goods originating from the territory of any other Party and its related suppliers, a not less favorable treatment than the one which is granted to:

- 1) domestic goods and suppliers;
- 2) goods originating from the territory of any other Party and its suppliers.

2. Provisions of paragraph 1 of this Article shall not be applicable with respect to customs duties and any other payments equivalent to customs duties applied on import.

3. Provisions of paragraph 1 of this Article shall be applicable on a bi- or multilateral basis among the interested Parties.

4. Within three months after the entry into force of this Treaty the interested Parties shall enter into negotiations for elaborating a Protocol to this Treaty determining the obligations of the Parties with respect to the rules and procedures regulating government procurement for the purposes of completing it within a three-year period.

## **Article 7**

### **Freedom of Transit**

1. Transit of goods and transport means within the framework of this Treaty shall be regulated in accordance with the provisions of Article V of GATT 1994.

2. The following conditions are applied to transit of goods and transport means:

1) goods being transited through the territory of a Party shall simultaneously:

a) remain unchanged, except for changes due to natural deterioration or loss under normal conditions of transportation and storage;

b) not be used for any purposes other than transit;

c) be delivered to the customs authority of destination within the periods established by the customs authority of departure, proceeding from capacity of the transport means carrying a commodity, the planned route and any other conditions of shipment;

2) in cases where it does not contradict the provisions of this Treaty, a Party may, in accordance with its legislation, establish a list of certain types of goods whose transit is prohibited and also a list of certain types of goods whose transit requires special permits from authorised bodies of the Parties. The Parties shall notify each other about its lists;

3) if transit is interrupted due to an accident or force majeure, then the carrier shall be guided by norms established by the national legislation of the Party on whose territory transit has been interrupted;

4) customs authorities of the Parties shall mutually recognise national means of identification, other means of customs support, and also documents necessary for controlling the goods and transport vehicles carrying them, in accordance with international conventions ratified by the Parties, and/or with the arrangements reached among them;

5) each Party shall grant the goods transiting across the territory of any other Party a regime not less favourable than the regime which would have been granted to such goods if they were transported from the place of origin to the place of destination without being transferred across the territory of such other Party.

3. Provisions of this Article shall not extend to pipeline transport.

4. Interested Parties shall enter into negotiations for elaborating an Agreement on the Transit by Pipeline Transport and shall complete such negotiations within six months after the entry into

force of this Treaty.

## **Article 8**

### **Application of Safeguard Measures in Mutual Trade**

1. Nothing in this Treaty shall restrict the right of a Party (customs union)<sup>1</sup> to apply any safeguard measures. Such measures with respect to industrial and agricultural goods shall be applied only in accordance with Article XIX of GATT 1994, the WTO Agreement on Safeguards and by this Treaty.

2. When applying any safeguard measures, a Party (customs union) shall remove from the effect of such measures a commodity originating from the territory of another Party on condition that such commodity has been imported in such quantities and under such conditions which have not caused any injury and/or have not created a threat of causing injury to the domestic industry of this Party (customs union).

Import originating from the territory of another Party shall be considered as not causing any injury and/or not threatening to cause injury to the domestic industry of a Party (customs union) if the other Party is not one of the five main suppliers of the imported commodity for the last three years and the following conditions are simultaneously met:

during the recent three years the import volumes from the other Party have been decreasing or growing in smaller volumes (in absolute and relative indicators) as compared with the import from other countries;

the price level of import of goods from the other Party is equal or higher than the price level of a domestic commodity producer of like or directly competitive goods on the internal market of the importing Party (customs union).

3. If one of the Parties (customs union) intends to apply safeguard measures, then this Party (customs union) shall, not later than 30 days before the completion of the investigation, inform about such intention the other Parties which may be affected by the application of a measure. Interested Parties shall conduct consultations for the purposes of finding a mutually acceptable solution.

4. When choosing a type of safeguard measures, the Parties (customs union) shall give the priority to those measures which will cause the least injury to achieving the purposes of this Treaty.

## **Article 9**

### **Application of Antidumping and Countervailing Measures in Mutual Trade**

1. Nothing in this Treaty prevents a Party (customs union) from applying, with respect to the import of a commodity originating from another Party, any antidumping or countervailing measures. Such measures with respect to industrial and agricultural goods must be applied only in accordance with Articles VI, XVI of GATT 1994, the WTO Agreement on the Application of Article VI of GATT 1994, the WTO Agreement on Subsidies and Countervailing Measures and with this Treaty.

2. If one of the Parties (customs union) intends to apply any antidumping or countervailing measures, then this Party (customs union) shall, before the application of the measures, provide the other interested Parties with the relevant information about the main facts and findings reasoning the application of such measures. For the Parties to be able to protect their interests, such information shall be provided in advance but not later than 30 days before the completion of the

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<sup>1</sup>For the purposes of Article 8 and Article 9 of this Treaty the customs union means union between the Parties which provides for the uniform application of safeguard, antidumping and countervailing measures.

investigation.

3. A Party (customs union) which intends to apply or prolong certain antidumping or countervailing measures, shall provide adequate possibility for conducting preliminary consultations before the completion of the investigation by the interested Parties.

4. When choosing a type of antidumping or countervailing measures, the Parties (customs union) shall give the priority to those measures which will cause the least damage to achieving the purposes of this Treaty.

## **Article 10** **Granting of Subsidies**

1. The Parties shall grant subsidies in accordance with the provisions of Articles VI, XVI of GATT 1994 and of the WTO Agreement on Subsidies and Countervailing Measures.

2. The Parties shall not maintain and shall not grant any prohibited subsidies under Article 3 of the WTO Agreement on Subsidies and Countervailing Measures, except for the measures stipulated in Annex 3 to this Treaty, which is its integral part.

3. The Parties shall refrain from granting any specific subsidies under Article 2 of the WTO Agreement on Subsidies and Countervailing Measures which may cause a serious infringement of interests of other Parties and will entail negative consequences stipulated by Article 6 of the WTO Agreement on Subsidies and Countervailing Measures.

4. Each Party shall ensure transparency of state aid to enterprises by means of annual information of the other Parties about the total amount and distribution of the aid rendered by the state and providing, upon the request of another Party, information about rendering of state aid in concrete cases and schemes of granting such aid.

## **Article 11** **Technical Barriers to Trade**

In mutual trade the Parties shall apply technical measures, including technical regulations, standards and procedures of conformity assessment, while being guided by the rules and principles of the WTO Agreement on Technical Barriers to Trade.

The Parties shall cooperate in the field of standardization, metrology, assessment (confirmation) of conformity, accreditation, state control (supervision) within the framework of the Interstate Council for Standardization, Metrology and Certification under the Agreement on Coordinated Policy in the Field of Standardization, Metrology and Certification of March 13, 1992.

## **Article 12** **Sanitary and Phytosanitary Measures**

In mutual trade the Parties shall be guided by the rules and principles of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures, as well as international treaties in the relevant fields whose participants they are.

## **Article 13** **Payments**

1. The Parties shall not maintain ongoing restrictions and shall not establish new restrictions on international transfers and payments for the supply of goods within the framework of mutual trade in goods, except for the cases stipulated in Article 14 of this Treaty.

2. Nothing in this Treaty shall affect the rights and obligations of the Parties ensuing from their membership in the International Monetary Fund in accordance with the Articles of the Agreement on the International Monetary Fund or with the provisions of the special currency agreement to be concluded by the Parties in accordance with paragraph 3 of this Article.

3. If any state acceding to this Treaty is not a party to the Articles of the Agreement on the International Monetary Fund, then the Parties shall conclude with such state a special currency agreement establishing the payments procedure within the mutual trade in goods.

If any Party withdraws from the International Monetary Fund, revokes or otherwise terminates its obligations under Article VIII of the Agreement on the International Monetary Fund, then such Party shall, as soon as possible, conclude the said special currency agreement with the other Parties.

## **Article 14**

### **Restrictions for the maintenance of the Balance of Payments**

1. In the event of serious violations of the equilibrium of its balance of payments and serious external financial difficulties, any Party may establish or maintain certain restrictions that are not contradictory with the norms of Article XII of GATT 1994 and the Understanding on Balance-of-Payment Provisions of GATT 1994, on trade in goods with other Parties by applying measures stipulated by national legislation leading to restriction of quantity or value of goods permitted for import, including introduction of restrictions on payments and transfers related to trade in goods with the Parties.

Restriction measures on mutual trade in goods, including limitations on payments and transfers, for the purposes mentioned in this paragraph, may be applied only if payments for delivery of goods imported by a Party within the framework of mutual trade, are made in currencies which form, as mentioned in paragraph 2 of this Article, the currency reserves of the Party applying such restrictive measures in mutual trade of goods.

2. Restrictions with respect to import, including payments and transfers established, maintained or strengthened by a Party in accordance with this Article, shall not be more considerable than it is necessary for preventing an inevitable threat of a serious reduction of the currency reserves of such Party or for restoring a rational rate of growth of currency reserves of this Party.

3. Any Party, having difficulties with balance of payments or external financial situation, primarily, to improve the situation, uses possibilities that are not affecting trade in goods, in particular, attracting external loans and other resources, and ensure proper use of such loans or resources.

4. The Parties applying restrictions according to this Article:

shall follow the Articles of the Agreement on the International Monetary Fund or the obligations stipulated in a special currency agreement;

shall not excessively damage commercial, economic and financial interests of any other Party;

shall not apply any measures beyond the necessary in connection with the state of the balance of payment;

shall not create any discrimination among the Parties unless the restrictive measures of trade in goods are aimed at smoothing the balance between the currencies; in such case the measures shall not go beyond the limits of the necessary discrimination approach;

shall gradually remove measures introduced in accordance with this Article - at the extent of mitigation of the circumstances which have caused their introduction;

shall not unreasonably impede, in the introduction of certain measures in accordance with this Article, the importation of any goods in minimum commercial quantities whose exclusion from trade turnover would violate the usual channels of trade;

shall not apply any restrictions which would prevent import of commercial samples or compliance with regulations on patents, trademarks, copyright or similar procedures.

5. The measures whose application is allowed under this Article shall not include such measures as introduction or maintenance of duties, licensing and quoting, unless due to critical state of the balance of payments other measures can not stop sharp worsening of the situation with foreign accounts.

6. In the introduction of measures restricting current payments and transfers, any Party applying such measures shall immediately inform the International Monetary Fund about the restriction of freedom of current operations in accordance with the provisions of Article VIII of the Agreement on the International Monetary Fund and shall conduct consultations with the International Monetary Fund for improving the situation with the balance of payments or the external financial situation, revealing economic problems which could lead to worsening of state of balance of payments of such Party, and for determining the optimality of the measures being taken.

7. Any restrictions introduced or maintained by a Party in accordance with this Article, or any changes in such restrictions, shall be subject to urgent notification of the other Parties.

8. If circumstances make it possible, no Party shall introduce any restrictions in accordance with this Article prior to consultations with the other Parties whose interests may be affected. If any restrictions have been introduced before consultations, then consultations shall be conducted in the shortest possible time.

Consultations shall be conducted for the purposes of:

assessing the character and scale of difficulties with the balance of payments and with the external financial situation of a Party introducing restrictive measures on trade in goods in accordance with this Article;

assessing foreign-economic and trade situation in which such Party has found itself;  
identifying possible alternative improving measures which may be used.

## **Article 15**

### **General Exceptions**

Nothing in this Treaty shall be interpreted as impeding the application by any Party of measures referred to General Exceptions in accordance with Article XX of GATT 1994 with compliance of conditions set forth in the mentioned Article of GATT 1994.

## **Article 16**

### **Security Exceptions**

With respect to measures aimed at ensuring national security, the Parties shall apply the provisions of Article XXI of GATT 1994.

## **Article 17**

### **Administration Issues**

The collection of fees, performance of the formalities connected with import and export and the application of the rules of trade are carried out in accordance with Articles VIII and X of GATT 1994.

## **Article 18**

### **Agreements on Customs Unions, Free Trade and Cross-Border Trade**

1. This Treaty shall not impede the Parties to participate in agreements on customs union, free trade and/or cross-border trade in accordance with the WTO rules and, in particular, of Article XXIV of GATT 1994.

2. Provisions of this Treaty shall be applied in relations among the participants of the Customs Union and the Common Economic Space so far as they are not contrary to:

International agreements concluded by them within the framework of the Customs Union and the Common Economic Space, as well as, decisions, adopted on their basis by the bodies of the Customs Union;

bilateral treaties concluded among the members of the Customs Union and the Common Economic Space.

3. Participation of the Parties in the international treaties mentioned in paragraphs 1 and 2 of this Article, shall not restrict their rights and shall not release from the obligations under this Treaty before the other Parties, which are not participants of such treaties (Annex 6).

4. In case if participation of one of the Parties in an agreement, stipulated by paragraph 1 of this Article, exercises considerable negative impact on mutual trade of the participants of this Treaty, by the request of any interested Party, the Parties shall conduct consultations in order to elaborate and implement measures aimed at restoring mutual trade.

## **Article 19** **Disputable Issues**

1. Parties shall take all necessary measures to fulfill their obligations under this Treaty.

2. If one of the Parties considers that the other Party does not fulfill its obligations under this Treaty and such nonfulfillment of obligations damages or threatens to damage economic interests of the former Party, then both Parties shall conduct consultations for the purpose of reaching a mutually acceptable elimination of existing differences.

If no agreement has been reached, then a dispute may, at the choice of the former Party, be submitted for consideration of the CIS Economic Court if both Parties are members to the Agreement on the Status of the Economic Court of the Commonwealth of Independent States of July 6, 1992, or to the commission of experts in accordance with the dispute settlement procedure stipulated by Annex 4 to this Treaty, which is its integral part.

3. Disputes on issues which are in this Treaty to be settled by referring to the provisions of the WTO agreements, shall be resolved among the Parties which are WTO members in the procedure stipulated by the relevant WTO agreements. The provisions of this paragraph shall not impede the Parties which are WTO members to settle disputes in accordance with paragraph 2 of this Article.

## **Article 20** **Amendments and Supplements**

By mutual consent of the Parties, amendments and supplements may be introduced into this Treaty, which shall be its integral part and which shall be formalised by relevant protocols.

Protocols shall enter into force in accordance with the procedure stipulated for entry into force of this Treaty, except for the protocols stipulated in paragraph 15 of Article 2 of this Treaty.

## **Article 21** **Reservations**

Reservations to this Treaty shall not be permitted.

## **Article 22**

### **Entry into Force**

1. This Treaty shall enter into force upon the expiry of 30 days from the date of receipt by the depositary of a third notification on the fulfillment by its signatory Parties of the internal procedures necessary for its entry into force.

2. With regard to other Parties that fulfill intrastate procedures later, this Treaty shall enter into force upon the expiry of 30 days from the date of receipt of relevant documents by the depositary.

## **Article 23**

### **Correlation with Other International Obligations**

1. In relations among the Parties, for which this Treaty has entered into force, its provisions shall be applied while international treaties, specified in the list (Annex 5 to this Treaty which is its integral part), shall become ineffective.

2. The Parties have agreed that from the date of entry into force of this Treaty, they will take measures for terminating bilateral international treaties existing between them in the manner and within the terms stipulated by such treaties, unless the Parties have not agreed otherwise.

## **Article 24**

### **Accession**

This Treaty, after its entry into force, shall be open for accession of any state by submitting the accession document to the depositary.

For the CIS member state, this Treaty shall enter into force upon the expiry of 30 days from the date of receipt of the accession document by the depositary.

For a state, which is not a CIS member, this Treaty shall enter into force upon the expiry of 30 days from the date of receipt by the depositary of the accession document as well as terms, agreed by the Parties, for accession to this Treaty.

## **Article 25**

### **Validity, Termination, Withdrawal**

1. This Treaty is concluded for an indefinite period.

Each of the Parties may withdraw from this Treaty by sending to the depositary a written notification about such intention not later than twelve months before the withdrawal and having settled the financial and other obligations which have arisen during the effect of this Treaty.

2. For the purposes of resolving the possible disputes and claims, including those of material character, the provisions of this Treaty shall continue being effective with respect to a Party which has terminated its participation up to the complete settlement of all the obligations.

Done in the city of St. Petersburg on October 18, 2011 in one original copy in Russian. The original copy is deposited at the Executive Committee of the Commonwealth of Independent States, which shall send its certified copy to each signatory state to this Treaty.

/Signatures/

**Annex No. 1  
to the Treaty on a Free-Trade Area  
of October 18, 2011**

**I. Customs duties,  
applied on import of goods in accordance  
with Article 2 of the Treaty on a Free Trade Area**

| Party   | HS code and description   | Customs duty rate  | Effective period<br>(date of<br>elimination)<br>of customs duty                                      |
|---|---|--|--|
| Republic of Armenia   |   |  |  |
| <p>Reserves the right to apply import duties in relation to the Parties, which apply import duties with regard to the Republic of Armenia other than those specified in Part I of Annex 1.</p> <p>The Republic of Armenia shall inform in advance all the Parties on introduction of such measures.</p> |   |  |  |
| All Parties   | 2402 20 900:<br>Cigarettes<br><br>Cigarettes without filter                 | In 2011 -<br>1 500 drams<br>per 1 000 pieces<br>In 2012-<br>1 250 drams<br>per 1 000 pieces<br>In 2013 -<br>1 000 drams<br>per 1 000 pieces<br><br>In 2011-2013 -<br>1 300 drams per<br>1 000 pieces | January 1, 2014  |
| Republic of Belarus   |   |  |  |
| Ukraine   | 1701 99 100<br>White sugar  | 340 dollars per<br>1000 kg   | Period will be<br>defined by<br>mutual agreement   |
| Republic of Kazakhstan  |   |  |  |
| Ukraine   | 1701 99 100<br>White sugar  | 340 dollars per<br>1000 kg   | Period will be<br>defined by<br>mutual agreement   |
|   | 2208 60<br>Vodka  | 2 euro per 1<br>litter   | January 1, 2015  |
| Kyrgyz Republic<br>Does not apply   |   |  |  |
| Republic of Moldova   |   |  |  |
| Ukraine   | 1701<br>Cane or beet sugar and<br>chemically pure sucrose, in<br>solid form | 75%  | January 1, 2015<br>(upon the<br>termination<br>period - within<br>the volumes of<br>agreed duty-free |

|  |   |                         |   |
|--|---|-------------------------|---|
|  | 1702<br>Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavoring or coloring matter; artificial honey, whether or not mixed with natural honey; caramel with the exception of tariff line 1702 30 - other | 75%                     | quotas)<br>January 1, 2015<br>(upon the termination period - within the volumes of agreed duty-free quotas) |
|  | 2207<br>Undenatured ethyl alcohol of an alcoholic strength by volume of 80% vol or higher; ethyl alcohol and other spirits, denatured, of any strength  | 0,5 euro per 1 liter    | January 1, 2013   |
| Russian Federation                       |   |                         |   |
| Ukraine                                  | 1701 99 100<br>White sugar  | 340 dollars per 1000 kg | Period will be defined by mutual agreement  |
| Republic of Tajikistan<br>Does not apply |   |                         |   |
| Ukraine                                  |   |                         |   |
| Republic of Belarus                      | 1701 99 10 00<br>White sugar  | 50%                     | Period will be defined by mutual agreement  |
| Republic of Kazakhstan                   | 1701 99 10 00<br>White sugar  | 50%                     | Period will be defined by mutual agreement  |
| Republic of Moldova                      | 1209 10 00 00<br>Sugar beet seed  | 5%                      | January 1, 2013   |
|  | 1701<br>Cane or beet sugar and chemically pure sucrose, in solid form   | 50%                     | January 1, 2015<br>(upon the termination period - within the volumes of agreed duty-free quotas)            |
|  | 1702<br>lactose and lactose syrup, other sugars (with the exception of starch syrup)  | 5%                      |   |
| Russian Federation                       | 1701 99 10 00<br>White sugar  | 50%                     | Period will be defined by mutual agreement  |

**II. Customs duties,  
applicable to export of goods in  
the CIS Member States in accordance with Article 2 of the Treaty  
on a Free Trade Area**

| HS code and description | Customs duty rate |
|-------------------------|-------------------|
|-------------------------|-------------------|

Republic of Armenia  
Doesn't apply

Republic of Belarus

(in respect of goods exported from the Republic of Belarus beyond customs territories of the member-states of the EurAzEC.  
On oil products duties are applied regarding the CIS Member-States, which are not members of the Customs Union)

In case if the Republic of Tajikistan applies export customs duties in respect of goods exported to the Republic of Belarus, the Republic of Belarus reserves the right to apply similar measures.

The Republic of Belarus shall inform in advance all the Parties on introduction of such measures.

|   |   |
|---|---|
| 12 05<br>Rape or colza seeds, whether or not broken   | 100 euro per 1 000 kg   |
| 2709 00, 2710 11 - 2710 19 490 0, 2710 19 510 - 2710 99 000 0, 2711 12 - 2711 19 000 0, 2712, 2713, 2902 20 000 0 - 2902 43 000 0<br>Raw oil and oil products | Special formula identical to the one applied by the Russian Federation<br><br>Applied in respect of exported goods from the Republic of Belarus beyond the customs territory of the Customs Union |
| 3104<br>Potassium fertilizers   | 75 euro per 1 000 kg  |
| 4101, 4103<br>Rawhides  | 500 euro per 1 000 k  |
| 4104, 4106<br>Tanned or crust hides and skins   | 10%, but not less than 90 euro per 1 000 kg   |
| 4401 10 000 9<br>Fuelwood   | 100 euro per 1m <sup>3</sup>  |
| 4403 10 000 1, 4403 10 000 2, 4403 91 100 0, 4403 91 900 0, 4403 92 100 0, 4403 92 900 0<br>Raw timber, whether or not stripped                               | 100 euro per 1m <sup>3</sup>  |
| 4404 20 000 0<br>Coniferous timber  | 100 euro per 1m <sup>3</sup>  |
| 4407 91 150 0, 4407 91 310 0, 4407 91 390 0, 4407 91 900 0, 4407 92 000 0, 4407 93 100 0, 4407 93 500 0, 4407 93 900 0<br>Wood and articles of wood           | 100 euro per 1m <sup>3</sup>  |

Republic of Kazakhstan

(in respect of goods exported from the Republic of Kazakhstan beyond the customs territory of the Customs Union )

In respect of goods exported from the Republic of Kazakhstan to the Kyrgyz Republic and the Republic of Tajikistan, the application of customs duties can be subject to other multilateral and/ or bilateral arrangements.

The Republic of Kazakhstan shall inform in advance all the Parties on introduction of such measures.

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| 1201 00<br>Soya beans, whether or not broken   | 20%, but not less than 35 euro per<br>1 000 kg  |
| 1205<br>Rape or colza seeds, whether or<br>not broken  | 15%, but not less than 30 euro per<br>1 000 kg  |
| 1206 00<br>Sunflower seeds, whether or not<br>broken   | 20%, but not less than 30 euros per<br>1 000 kg   |
| 2709 00 900 2, 2709 00 900 8<br>Crude oil  | Special formula   |
| 2710 11 110 0 - 2710 11 900 9<br>Light oils and other products   | Duty rate is calculated according to the<br>following formula:  |
| 2710 19 110 0 - 2710 19 290 0<br>Medium oils: for undergoing a<br>specific process, for<br>undergoing chemical<br>transformation by a process other<br>than those specified in respect<br>of subheading 2710 19 110 0; and<br>other purposes | $ECDR = K \times (P - 138.6)$ ,<br>Where EC DR-export customs duty rate;<br>K -50% of arithmetical value of<br>coefficients 0.35 and 0.4, used in formula<br>for calculation of conditional rate and<br>multiplied by a correction coefficient in<br>accordance with the table, provided below; |
| 2710 19 410 0 - 2710 19 490 0<br>Heavy oils: gas oils  | P -average market price of crude oil,<br>calculated over the monitoring period  |
| 2710 19 510 1, 2710 19 510 9,<br>except for heavy liquid oils 2710<br>19 550 1, 2710 19 550 9<br>Heavy oils: mazut and other   |   |
| 2710 19 550 9<br>Heavy oil: mazut and other  |   |
| 2713 20 000 0 - 2713 90 900 0<br>Petroleum bitumen   |   |
| 2710 19 310 0 - 2710 19 350 0<br>Heavy oils: gas oils  | Approved rates for export customs duties on<br>goods, produced from oil, will be adjusted<br>quarterly on the basis of average market<br>price, monthly monitoring prices of raw<br>materials on the world oil market   |
| 2711 21 000 0<br>Natural gas   | 30%   |
| 2711 29 000 0<br>Gas : Other   | 5%  |
| 2705 00 000 0<br>Coal gas, water gas, producer gas<br>and similar gases  | 5%  |
| 4101<br>Raw hides and skins of bovine<br>(including buffalo) or equine   | 20%, but not less than 200 euro per<br>1 000 kg.  |

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| animals (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not dehaired or split  |  |
| 4102<br>Raw skins of sheep or lambs (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not with wool on or split, other than those excluded by Note 1c to this Chapter  | 20%, but not less than 200 euro per 1 000 kg.  |
| 4103<br>other raw hides and skins (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not dehaired or split, other than those excluded by Note 1b or 1c to this Chapter  | 20%, but not less than 200 euro per 1 000 kg.  |
| 5101<br>Wool, not carded or combed   | 10%, but not less than 50 euros per 1 000 kg.  |
| 5102<br>Fine or coarse animal hair, not carded or combed   | 10%, but not less than 50 euros per 1 000 kg.  |
| 5103<br>Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock   | 10%, but not less than 50 euros per 1 000 кг   |
| 5104 00 000 0<br>Garnetted stock of wool or of fine or coarse animal hair.   | 10%, but not less than 50 euros per 1 000 кг   |
| 7204<br>Ferrous waste and scrap; remelting scrap ingots of iron or steel   | 15%, but not less than 20 euros per 1 000 kg.  |
| 7302<br>Railway or tramway track construction material of iron or steel, as the following : rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for jointing or fixing rails | 20%, but not less than 20 euros per 1 000 kg.  |
| 7404 00<br>Copper waste and scrap.   | 30%, but not less than 330 euros per 1 000 kg. |
| 7601<br>Unwrought aluminium, except aluminium alloys classified by HS  | 15%, but not less than 100 euros per 1 000 kg. |

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| code 7601 10 000 0   |  |
| 7602 00<br>Aluminium waste and scrap   | 15%, but not less than 100 euro per<br>1 000 kg. |
| 7603<br>Aluminium powders and flakes   | 15%, but not less than 100 euro per<br>1 000 kg. |
| 7604 10 100 0<br>Aluminium bars of aluminium, not<br>alloyed   | 15%, but not less than 100 euro per<br>1 000 kg. |
| 7604 29 100 0<br>Aluminium bars of aluminium other   | 15%, but not less than 100 euro per<br>1 000 kg. |
| 7605<br>Aluminium wire   | 15%, but not less than 100 euro per<br>1 000 kg. |
| 7606<br>Aluminium plates, sheets and<br>strip, of a thickness exceeding<br>0.2 mm  | 15%, but not less than 100 euro per<br>1 000 kg. |
| 7607<br>Aluminium foil (whether or not<br>printed or backed with paper,<br>paperboard, plastics or similar<br>backing materials) of a thickness<br>(excluding any backing) not<br>exceeding 0.2 mm.  | 15%, but not less than 100 euro per<br>1 000 kg. |
| 7608<br>Aluminium tubes and pipes  | 15%, but not less than 100 euro per<br>1 000 kg. |
| 7609 00 000 0<br>Aluminium tube or pipe fittings<br>(for example, couplings, elbows,<br>sleeves)   | 15%, but not less than 100 euro per<br>1 000 kg. |
| 7610<br>Aluminium structures (excluding<br>compiled building metalwork of<br>goods heading 9406) and its parts<br>(for example, bridges and bridge-<br>sections, towers, lattice masts,<br>roofs, roofing frameworks,<br>doors and windows and their frames<br>and thresholds for doors,<br>balustrades, pillars and columns);<br>aluminium plates, rods,<br>profiles, tubes and the like,<br>prepared for use in structures | 15%, but not less than 100 euro per<br>1 000 kg. |
| 7611 00 000 0<br>Aluminium reservoirs, tanks, vats<br>and similar containers, for any<br>material (other than compressed or<br>liquefied gas), of a capacity<br>exceeding 300 l, whether or not<br>lined or heat-insulated, but not<br>fitted with mechanical or thermal   | 15%, but not less than 100 euro per<br>1 000 kg. |

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| equipment   |   |
| 7612<br>Aluminium casks, drums, cans, boxes and similar containers (including rigid or collapsible tubular containers), for any material (other than compressed or liquefied gas), of a capacity not exceeding 300 l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment | 15%, but not less than 100 euro per 1 000 kg. |
| 7613 00 000 0<br>Aluminium containers for compressed or liquefied gas   | 15%, but not less than 100 euro per 1 000 kg. |
| 7614<br>Stranded wire, cables, plaited bands and the like, of aluminium, not electrically insulated   | 15%, but not less than 100 euro per 1 000 kg. |
| 7615<br>Table, kitchen or other household articles and parts thereof, of aluminium; pot scourers and scouring or polishing pads, gloves and the like, of aluminium; sanitary ware and parts thereof, of aluminium   | 15%, but not less than 100 euro per 1 000 kg. |
| 7616<br>Other articles of aluminium   | 15%, but not less than 100 euro per 1 000 kg. |
| 8607<br>Parts of railway or tramway locomotives or rolling-stock  | 20%, but not less than 15 euro per 1 000 kg.  |

Table with correction coefficients

| Products classification<br>By HS codes  | Correction coefficients | C  |
|---|-------------------------|--|
| 2710 11 110 0 - 2710 11 900 9   | 1,2                     | $0,5 \times (0,35 + 0,4) / 2 \times 1,2 = 0,225$ |
| 2710 19 110 0 - 2710 19 290 0   |                         |  |
| 2710 19 410 0 - 2710 19 490 0   |                         |  |
| 2710 19 510 1 - 2710 19 550 9   |                         |  |
| 2710 19 610 1 - 2710 19 690 9   | 0,8                     | $0,5 \times (0,35 + 0,4) / 2 \times 0,8 = 0,15$  |
| 2710 19 310 0 - 2710 19 350 0   | 0,8                     | $0,5 \times (0,35 + 0,4) / 2 \times 0,8 = 0,15$  |
| 2713 20 000 0 - 2713 90 900 0   | 0,8                     | $0,5 \times (0,35 + 0,4) / 2 \times 0,8 = 0,15$  |
| With regard to certain types of goods the Republic of Kazakhstan applies rent tax on export in accordance with the Tax Code of the Republic Kazakhstan. |                         |  |

| HS code and description   | Customs duty rate |
|---|-------------------|
| <p style="text-align: center;">Kyrgyz Republic</p> <p>In case of introduction by the Republic of Tajikistan of export customs duties on goods, exported to the Kyrgyz Republic, the Kyrgyz Republic reserves the right to apply similar measures.</p> <p>In case of goods, exported from the Kyrgyz Republic to the Republic of Kazakhstan, application of customs duties can be subject of other multilateral and/ or bilateral arrangements.</p> <p>In case of goods, exported from the Kyrgyz Republic to the Russian Federation, application of customs duties can be subject to other multilateral (including the Treaty on Accession of the Kyrgyz Republic to agreements on the Customs Union of March 29,1996) and/ or bilateral arrangements.</p> <p>The Kyrgyz Republic shall inform in advance all the Parties on introduction of such measures.</p> |                   |
| 0401<br>Milk and cream, not concentrated nor containing added sugar or other sweetening matter  |                   |
| 0401 10 900 0<br>Other  | 11 comesper1 kg.  |
| 0401 20 190 0<br>Other  | 11 comesper1 kg.  |
| 0401 20 990 0<br>Other  | 11 comesper1 kg.  |
| 0401 30 190 0<br>Other  | 11 comesper1 kg.  |
| 0401 30 990 0<br>Other  | 11 comesper1 kg.  |
| 4707<br>Recovered (waste and scrap) paper or paperboard   | 10comesper1 kg.   |
| <p style="text-align: center;">Republic of Moldova</p> <p style="text-align: center;">Does not apply</p> <p>In case if the Parties do not fulfill undertakings with respect to the Republic of Moldova in accordance with paragraph 15 Article 2, the Moldavian side reserves the right to apply adequate measures with regard to those Parties, which apply exceptions in trade relations with the Republic of Moldova.</p> <p>The Republic of Moldova shall inform in advance the Parties on introduction of such measures.</p>   |                   |
| <p style="text-align: center;">Russian Federation</p> <p style="text-align: center;">(in respect of goods exported from the Russian Federation beyond the customs territory of the Customs Union )</p> <p>With respect to goods, exported from the Russian Federation to the Kyrgyz Republic and the Republic of Tajikistan, application of customs duties can be subject of other multilateral (including the Treaty on Accession of the Kyrgyz Republic to agreements on the Customs Union of March 29,1996, and the Treaty on Accession of the Republic of Tajikistan to agreements on the Customs Union of February 26, 1999, respectively) and/ or bilateral arrangements.</p>   |                   |

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| The Russian Federation shall inform in advance the Parties on introduction of such measures.  |   |
| 0302359000<br>Atlantic or Pacific Bluefin tunas   | 5%  |
| 0303<br>Fish, frozen, excluding fish fillets and other fish meat of heading 0304  | 5%  |
| 0306<br>Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine   | 10%   |
| 1201 00<br>Soya beans, whether or not broken  | 20 %, but not less than 35 euro per 1 000 kg  |
| 1205<br>Rape or colza seeds, whether or not broken  | 20 e%, but not less than 35 euro per 1 000 kg |
| 1206 00<br>Sunflower seeds, whether or not broken   | 20 %, but not less than 35 euro per 1 000 kg  |
| 1207 50<br>Mustard seeds  | 10 %, but not less than 25 euro per 1 000 kg  |
| 1605<br>Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved  | 5%  |
| 2207, 2208<br>Ethylalcohol  | 6,5%  |
| 2503 00<br>Sulphur of all kinds, other than sublimed sulphur, precipitated sulphur and colloidal sulphur  | 6,5%  |
| 2510<br>Natural calcium phosphates, natural aluminium calcium phosphates and phosphatic chalk   | 6,5%  |
| 2519<br>Natural magnesium carbonate (magnesite); fused magnesia; dead-burned (sintered) magnesia, whether or not containing small quantities of other oxides added before sintering; other magnesium oxide, whether or not pure | 6,5%  |
| 2523<br>Portland cement, aluminous cement, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinkers  | 6,5%  |
| 2524<br>Asbestos  | 3%  |
| 2601<br>Iron ores and concentrates, including roasted iron pyrites  | 6,5%  |
| 2613<br>Molybdenum ores and concentrates  | 6,5%  |
| 2615<br>Niobium, tantalum, vanadium or zirconium ores and concentrates  | 6,5%  |
| 2620 19<br>Other types of residues containing ferrous   | 6,5%  |

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| materials   |   |
| 2704 00<br>Coke and semi-coke of coal, of lignite or of peat, whether or not agglomerated; retort carbon  | 6,5%  |
| 2705 00 000 0<br>Coal gas, water gas, producer gas and similar gases, other than petroleum gases and other gaseous hydrocarbons   | 5%  |
| 2706 00 000 0<br>Tar distilled from coal, from lignite or from peat, and other mineral tars, whether or not dehydrated or partially distilled, including reconstituted tars                       | 5%  |
| 2707<br>Oils and other products of the distillation of high temperature coal tar; similar products in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents | 5%  |
| 2707 10<br>Benzol   | Special formula   |
| 2707 20<br>Toluol   | Special formula   |
| 2707 30<br>Xylol  | Special formula   |
| 2708<br>Pitch and pitch coke, obtained from coal tar or from other mineraltars  | 5%  |
| 2709 00<br>Petroleum oils and oils obtained from bituminous minerals, crude   | By special formula depending on world market oil prices |
| 2710 11<br>Light oils and other   | Special formula   |
| 2710 19<br>Medium oils  | Special formula   |
| 2710 91, 2710 99<br>Waste oils  | Special formula   |
| 2711 11<br>Liquefied naturalgas   | 40 euro per1 000 kg.                                    |
| 2711 12<br>Propane  | Special formula   |
| 2711 13<br>Butanes  | Special formula   |
| 2711 14 000 0<br>Ethylene, propylene, butylene and butadiene  | Special formula   |
| 2711 19 000 0<br>Other  | Special formula   |
| 2711 21 000 0<br>Natural gas in gaseous state   | 30%(special formula is applied for the Ukraine)         |
| 2712 10<br>Petroleumjelly   | 5%  |

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| 2712 20<br>Paraffin wax containing by weight less than 0.75 % of oil   | Special formula |
| 2712 90 310 0<br>for undergoing a specific process   | Special formula |
| 2712 90 330 0<br>For undergoing chemical transformation by a process other than those specified in respect of subheading 2712 90 310   | Special formula |
| 2712 90 390 0<br>for other purposes  | Special formula |
| Other:   |                 |
| 2712 90 910 0<br>Blend of 1- alkenes containing by weight 80% or more of 1- alkenes of a chain- length of 24 carbon atoms or more but not exceeding 28 carbon atoms                          | Special formula |
| 2712 90 990 0<br>Other   | Special formula |
| 2713 11 000 0<br>Petroleumcoke not calcined  | Special formula |
| 2713 20 000 0<br>Petroleumbitumen  | Special formula |
| 2713 90<br>Other residues of petroleum oils or of oils obtained from bituminous minerals   | Special formula |
| 2714 90 000 0<br>Bitumen and asphalt, natural, asphaltites and asphaltic rocks   | 5%              |
| 2715 00 000 0<br>Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs) | 5%              |
| 2825<br>Hydrazine and hydroxylamine and their inorganic salts; other inorganic bases; other metal oxides, hydroxides and peroxides   | 6,5%            |
| 2902 20<br>Benzene   | Special formula |
| 2902 30<br>Toluene   | Special formula |
| 2902 41 000 0<br>o-Xylene  | Special formula |
| 2902 42 000 0<br>m-Xylene  | Special formula |
| 2902 43 000 0<br>p-Xylene  | Special formula |
| 2905 13 000 0<br>Butan-1-ol (n-butyl alcohol)  | 6,5%            |
| 3104, 3105<br>Mineral or chemical fertilisers  | 5%              |

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| 3901, 3902<br>Polymers of ethylene, polymers of propylene or of other olefins, in primary forms   | 6,5%   |
| 4101, 4102, 4103<br>Rawhidesandskins  | 500 euro per 1 000 kg.                                       |
| 4104, 4105, 4107<br>Tanned or crust hides and skin of bovine (including buffalo), or equine animals, Sheep or lamb skin leather, or leather crust; Leather, tanned, having undergone certain treatments or crust including parchment- dressed   | 10%, but not less than 90 euro per 1 000 kg.                 |
| 4401<br>Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms; wood in chips or particles; sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms   | In accordance with the legislation of the Russian Federation |
| 4403<br>Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared   | In accordance with the legislation of the Russian Federation |
| 4406<br>Railway or tramway sleepers (cross-ties) of wood  | In accordance with the legislation of the Russian Federation |
| 4407<br>Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm  | In accordance with the legislation of the Russian Federation |
| 4408 90<br>Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end-jointed, of a thickness not exceeding 6 mm   | In accordance with the legislation of the Russian Federation |
| 4409, 4410, 4412, 4413, 4418, 4421<br>Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges, ends or faces, whether or not planed, sanded or end-jointed and other | In accordance with the legislation of the Russian Federation |
| 4701<br>Mechanicalwoodpulp  | 10%  |
| 4703<br>Chemical wood pulp, soda or sulphate, other than dissolving grades  | 10%  |
| 4703 21<br>Semi-bleached or bleached coniferous   | 10%, but not less than 40 euro per 1 000 kg.                 |
| 4704<br>Chemical wood pulp, sulphite, other than dissolving grades  | 10%  |
| 4704 21<br>Semi-bleached or bleached coniferous   | 5%, but not less than 15 euro per 1 000 kg.                  |
| 4706, 4707<br>Pulps of fibres derived from recovered (waste and scrap) paper or paperboard or of other fibrous cellulosic material  | 10%  |
| 4801<br>Newsprint, in rolls or sheets   | 5%   |

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| 4802, 4804, 4805, 4808, 4811, 4814, 4817, 4818, 4819, 4820, 4823<br>Paper and paperboard, articles of paper pulp, paper or paperboard  | 10%  |
| 7102, 7103, 7104, 7105, 7107, 7109, 7110, 7111, 7112<br>Precious stones and semi-precious stones, precious metals, metals, clad with precious metals and articles thereof                            | 6,5%   |
| 7204, 7302 10 900 0<br>Waste and scrap, ironingots metals to be melted down (charge ingots); used rails  | 15%, but not less than 15 euro per 1 000 kg                  |
| 7401, 7402, 7403<br>Copper mattes, copper cementation (copper deposition), unrefined copper, copper anodes for electrolytic refining, copper refined, and copper alloys, unwrought                   | 10%  |
| 7404<br>Copper waste and scrap   | 50%, but not less than 420 euros per 1 000 kg.               |
| 7405<br>Master alloys of copper  | 10%  |
| 7501, 7502<br>Nickel mattes, nickel oxide sinters and other intermediate products of nickel metallurgy, unwrought nickel   | In accordance with the legislation of the Russian Federation |
| 7503<br>Nickel waste and scrap   | 30%, but not less than 720 euro per 1 000 kg.                |
| 7601<br>Unwrought aluminium  | 5%   |
| 7602<br>Aluminium waste and scrap  | 50%, but not less than 380 euro per 1 000 kg.                |
| 7802<br>Lead waste and scrap   | 30%, but not less than 105 euro per 1 000 kg.                |
| 7901<br>Unwrought zinc   | 5%   |
| 7902<br>Zinc waste and scrap   | 30%, but not less than 180 euro per 1 000 kg.                |
| 8001, 8002<br>Unwrought tin, in waste and scrap  | 6,5%   |
| 8101 94, 8101 97, 8102 94, 8102 97, 8103 20, 8103 30<br>Unwrought tungsten, tungsten waste and scrap; unwrought molybdenum, molybdenum waste and scrap; unwrought tantalum, tantalum waste and scrap | 6,5%   |
| 8105 30<br>Cobalt mattes waste and scrap   | 30%, but not less than 1200 euro per 1 000 kg.               |
| 8106, 8107<br>Bismuth and articles thereof, including waste and scrap, cadmium and articles thereof, including waste and scrap   | 6,5%   |
| 8108 20<br>Unwrought titanium; powders   | 6,5%   |
| 8108 30<br>Titanium waste and scrap  | 30%, but not less than 225 euro per 1 000 kg.                |
| 8109 30, 8110 20, 8111 00, 8112 13, 8112 21, 8112 22, 8112 29, 8112 92 200 1, 8112 92 200 9, 8112 52<br>Waste and scrap of zirconium antimony and  | 6,5%   |

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| manganese products thereof, including waste and scrap, waste and scrap beryllium, chromium, germanium waste and scrap, waste and vanadium scrap, waste and scrap of thallium, waste and scrap niobium (columbium), rhenium, gallium, indium, |   |
| 8607 19<br>Parts of railway or tramway locomotives or rolling-stock, axles, and parts thereof  | 15%, but not less than 15 euro per 1 000 kg.  |
| <p>Republic of Tajikistan</p> <p>Reserves the right to apply export duties in relation to those Parties, which apply export duties in mutual trade with the Republic of Tajikistan under the following nomenclature:</p>                     |   |
| 0102, 0104<br>Live animals   | 10%   |
| 0201<br>Chilled meat   | 10%   |
| 0701 - 0713<br>Vegetables and roots  | 7%  |
| 0802, 0804 - 0814<br>Fruits and nuts   | 7%  |
| 1301<br>Ferularesin  | 50%, but not less than 500 euro per 1 000 kg. |
| 2001 - 2009<br>Preparations of vegetables, fruits  | 5%  |
| 2711<br>Petroleum gases and other gaseous hydrocarbons   | 30%   |
| 2716<br>Electric power   | 10 euro per 1 000 kW/hour.                    |
| 4101 - 4103<br>Hides and skins   | 300 euro per 1 000 kg.                        |
| 5001 - 5006<br>Cocoons and silk  | 20%, but not less than 100 euro per 1 000 kg. |
| 5101 - 5110<br>Wool  | 20%, but not less than 100 euro per 1 000 kg. |
| 5201 - 5212<br>Cotton fiber  | 10%   |
| 7101 - 7116<br>Precious and semi-precious stones   | 30%   |
| 7204<br>Ferrous waste and scrap  | 30%, but not less than 200 euro per 1 000 kg. |
| 7404, 7503, 7602, 7802, 7902, 8002<br>Waste and scrap of non-ferrous metals  | 30%, but not less than 300 euro per 1 000 kg. |
| 7601, 7603 - 7616<br>Aluminium and articles thereof  | 15%, but not less than 100 euro per 1 000 kg. |
| <p>The Republic of Tajikistan shall inform in advance the Parties on introduction of such measures.</p>  |   |
| <p>Ukraine</p>   |   |
| <p>The Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Moldova, the Russian Federation, the Republic of Tajikistan</p>  |   |

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| 1206 00 99 00<br>Sunflower seeds, whether or not broken   | From 1 January 2007, the duty (16%) is annually declining by 1 percentage point to 10%   |
| 7202 99 80 00<br>Ferrochromnikel and other ferroalloys  | <p>Export duty rate as a percentage of the customs value in accordance with the year of the Ukraine's membership in the WTO:</p> <p>first -30%<br/>second -27%<br/>third -24%<br/>fourth -24%<br/>fifth -21%<br/>sixth -18%<br/>seventh -15%<br/>(2010 and 2011 - 24%)</p> |
| 7204 21<br>Ferrous waste and scrap; remelting scrap ingots of iron or steel of stainless steel  |  |
| 7204 29 00 00<br>Ferrous waste and scrap; remelting scrap ingots of iron or steel, other  |  |
| 7204 50 00 00<br>Ferrous waste and scrap; remelting scrap ingots of iron or steel; Remelting scrap ingots   |  |
| 7218 10 00 00<br>Stainless steel in ingots or other primary forms; semi-finished products of stainless steel; ingots and other primary forms                |  |
| 7401 00 00 00<br>Copper mattes; cement copper (precipitated copper)   |  |
| 7402 00 00 00<br>Unrefined copper; copper anodes for electrolytic refining  |  |
| 7403 12 00 00<br>Castings for the production of wire (vaerbarsy) of refined copper  |  |
| 7403 13 00 00<br>Billets from refined copper  |  |
| 7403 19 00 00<br>Other refined copper   |  |
| 7403 21 00 00<br>Copper-zinc base alloys (brass)  |  |
| 7403 22 00 00<br>Copper-tin base alloys (bronze)  |  |
| 7403 29 00 00<br>Other copper alloys (other than master alloys of heading 7405)   |  |
| 7404 00<br>Copper waste and scrap   |  |
| 7405 00 00 00<br>Masteralloys of copper   |  |
| 7406<br>Copper powders and flakes   |  |
| 7415 29 00 00<br>Other articles of copper, not threads, except washers (including spring washers washers)   |  |
| 7415 39 00 00<br>Other articles of copper thread (except wood screws, other screws, bolts and nuts)   |  |
| 7418 19 90 00<br>Household copper products and other parts  |  |
| 7419<br>Other products of copper  |  |
| 7419 99 10 00<br>Cloth (including endless bands), grill and netting, of copper wire with cross-sectional dimension not exceeding 6 mm, expanded metal grate |  |

|  |   |
|--|---|
| of brass and copper wiremesh   |   |
| 7503 00<br>Waste and scrap of nickel   |   |
| 7602 00<br>Waste and scrap of aluminum   |   |
| 7802 00 00 00<br>Waste and scrap of lead   |   |
| 7902 00 00 00<br>Zinc waste and scrap  |   |
| 8002 00 00 00<br>Waste and scrap of tin  |   |
| 8101 97 00 00<br>Waste and scrap of tungsten   |   |
| 8105 30 00 00<br>Cobalt mattes and other intermediate products cobalt metallurgy, cobalt and articles of cobalt, including waste and scrap cobalt mattes and other intermediate products of cobalt metallurgy; unwrought cobalt, waste and scrap; powders: waste and scrap |   |
| 8108 30 00 00<br>Waste and scrap of titanium   |   |
| 8113 00 40 00<br>Cermets and articles of cermets, including waste and scrap  |   |
| Republic of Kazakhstan, Russian Federation   |   |
| Cattle domestic species live except pure-bred(thoroughbred) breeding animals:  | Beginning from the 1 of January following calendar year of Ukraine's accession to the WTO, export duty rate shall annually decline by five percentage points, to 10 % (the rate at the time of the WTO accession was 50%) |
| 0102 90 05 00<br>Domestic species weighing less than 80kg  |   |
| 0102 90 29 00<br>Domestic species weighing more than 80kg but not more than 160kg, not for slaughter   |   |
| 0102 90 41 00<br>Domestic species weighing more than 160kg but not more than 300 kg for slaughter  |   |
| 0102 90 49 00<br>Domestic species weighing more than 160kg but not more than 300kg, not for slaughter  |   |
| 0102 90 51 00<br>Heifers(female cattleofirst calving) weighing more than 300 kg for slaughter  |   |
| 0102 90 59 00<br>Heifers(female cattle to first calving)weighing more than 300kg, not for slaughter  |   |
| 0102 90 61 00<br>Cow weighing more than 300kgfor slaughter   |   |
| 0102 90 69 00<br>Cow weighing more than 300kg, not for slaughter   |   |
| 0102 90 71 00<br>Domestic species other than cows and heifers weighing more than 300kgfor slaughter  |   |
| 0102 90 79 00<br>Domestic species other than cows and heifers weighing more than 300kg, not for slaughter  |   |

|   |  |
|---|--|
| 0102 90 90 00<br>Not domestic species of cattle living  |  |
| Live sheep  |  |
| 0104 10 10 00<br>Pure-bred sheep(thorough bred)   |  |
| Breeding animals:   |  |
| 0104 10 30 00<br>Lambs (under one year)   |  |
| 0104 10 80 00<br>Other live sheep, other than pure-bred(thoroughbred) breeding animals and lambs(under one year)  |  |
| 4101<br>Raw hides of cattle or equine animals (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not dehaired or split   |  |
| 4102<br>Raw skins of sheep or lambs (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment dressed or further prepared), whether or not with wool on or split, other than those specified in notelbto the group of41 to UKTVED  |  |
| 4103 30 00 00, 4103 90 00 00<br>Raw skins(hides) (fresh or salted, dried, treated with lime, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), with or without hair, splits or no splits, except referred to in notelb orlc togroup41 to UKTVED except goats or kids and reptiles          |  |
| Republic of Moldova   |  |
| 4101<br>Rawhides of cattle or equine animals(fresh, or salted, dried, treated with lime, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared),with the hair or without hair, splits or no splits  | <p>Beginning from the 1 of January following calendar year of Ukraine's accession to the WTO, export duty rate shall annually decline by1 percentage point, to 20 % (the rate at the time of the WTO accession was 30%)</p> <p style="text-align: center;">2011- 27%</p> |
| 4102<br>Raw hides and skins of sheep or lambs(fresh, or salted, dried, treated with lime, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), without wool or wool on, split leather or no split than those specified in notelbto the group 41 of UKTVED                                     |  |
| 4103 30 00 00, 4103 90 90 00<br>Raw skins(hides) (fresh or salted, dried, treated with lime, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), with the hair or without hair, splits or no splits, except referred to in notelb orlc togroup41 to UKTVED except goats or kids and reptiles |  |
| 7204 10 00 00<br>Waste and scrap of cast iron   | Duty rate, euro per tonne, for years of Ukraine's  |

|   |   |
|---|---|
| 7204 30 00 00<br>Waste and scrap of tinned iron or steel  | <p>membership in the WTO:<br/>first - 25euro per 1000 kg,<br/>second - 18 euro per1000kg,<br/>third - 16.4euro per 1000 kg,<br/>fourth - 14.8euro1000kg,<br/>fifth - 13.2euro per 1000 kg,<br/>sixth - 11.6euro per 1000 kg,<br/>seventh - 10euro per 1000 kg</p> <p>In years followed by the seventh year after Ukraine's accession to the WTO, export duty rates are as at level of the seventh year</p> <p>2011- 14,8euro per 1000 kg</p>  |
| 7204 41 10 00<br>Turnings, shavings, chips, milling waste and filings of iron or steel              |   |
| 7204 41 91 00<br>Cutting or stamping waste, packaged ferrous metal                                  |   |
| 7204 41 99 00<br>Cutting waste or stamping unpacked ferrous metal                                   |   |
| 7204 49 10 00<br>Waste and scrap, shredded(cut)   |   |
| 7204 49 30 00<br>Waste and scrap, packaged  |   |
| 7204 49 90 00<br>Waste and scrap, sorted  |   |
| 7204 49 90 00<br>Waste and scrap, unsorted  |   |
| 7204 50 00 00<br>Waste bullion(charge ingots) for melting of ferrous metals, except stainless steel |   |
| Russian Federation  |   |
| 1204 00 90 00<br>Linseed, whether or not broken   | <p>From 1 January2007, the duty (16%) is annually declining by1 percentage point to 10%</p>   |
| 1206 00 91 00, 1206 00 99 00<br>Sunflower seeds, whether or not broken                              |   |
| 1207 99 97 00<br>Once the seeds reddish   |   |
| 7204 10 00 00<br>Waste and scrap of cast iron   | <p>Duty rate for years of Ukraine's membership in the WTO:<br/>first - 25euro per 1000 kg,<br/>second - 18 euro per1000kg,<br/>third - 16.4euro, per 1000 kg,<br/>fourth - 14.8euro per 1000 kg,<br/>fifth - 13.2euro per 1000 kg,<br/>sixth - 11.6euro per 1000 kg,<br/>seventh - 10 euro per1000kg</p> <p>In years followed by the seventh year after Ukraine's accession to the WTO, export duty rates are as at level of the seventh year</p> <p>2011- 14,8euro per 1000 kg</p> |
| 7204 30 00 00<br>Waste and scrap of alloy steel   |   |
| 7204 41 10 00<br>Turnings, shavings, chips, milling waste and filings of ferrous metals             |   |
| 7204 41 91 00<br>Cutting or stamping waste, packaged ferrous metal                                  |   |
| 7204 41 99 00<br>Cutting waste or stamping unpacked ferrous metal                                   |   |
| 7204 49 10 00<br>Waste and scrap, shredded(cut)   |   |
| 7204 49 30 00<br>Waste and scrap of ferrous metal, packaged   |   |
| 7204 49 90 00<br>Waste and scrap of ferrous metal, unsorted   |   |
| 7204 49 90 00<br>Waste and scrap of ferrous metal, sorted   |   |
| 7204 50 00 00<br>Waste bullion(charge ingots) for melting of ferrous metals, except stainless steel |   |

of October 18, 2011

**PROHIBITIONS AND QUANTITATIVE RESTRICTIONS SUBJECT TO ABOLITION  
IN ACCORDANCE WITH PARAGRAPH 1 OF ARTICLE 3**

|  |   |   |
|--|---|---|
| <p>Republic of Armenia<br/>No prohibitions and quantitative restrictions to be abrogated in accordance with paragraph 1 of Article 3</p>   |   |   |
| <p>Republic of Belarus<br/>No prohibitions and quantitative restrictions to be abrogated in accordance with paragraph 1 of Article 3</p>   |   |   |
| <p>Republic of Kazakhstan<br/>No prohibitions and quantitative restrictions to be abrogated in accordance with paragraph 1 of Article 3</p>  |   |   |
| <p>Kyrgyz Republic<br/>Quotas and bans on import /export</p>   |   |   |
| <p>Alcoholic beverages: vodka and special vodka, distilled spirits, wine materials, wine, sparkling wine, champagne, wine drinks, cognac, brandy, calvados, beer, other spirits, and other alcoholic beverages (HS codes 2203- 2208)</p> | <p>Quotas on imports of alcoholic beverages, including beer, except for import of cognac alcohol and wine materials, intended for production of cognac and champagne.</p> <p>Law of the Kyrgyz Republic of July 9, 2007 N 98 "On state regulation of production and turnover of ethyl alcohol and alcohol- and spirit-containing products."</p> <p>Apply on import of alcohol products from countries that are not members of the WTO</p> | <p>The volume of quotas and quoting procedure established by the Decision of the Government of the Kyrgyz Republic on April 5, 2004 N 227 "On Approval of the Regulation on quoting procedure of import of alcohol products to the Kyrgyz Republic and procedure of import quota determination"<br/>Date of abolition - January 1, 2015</p> |
| <p>Republic of Moldova<br/>No prohibitions and quantitative restrictions to be abrogated in accordance with paragraph 1 of Article 3</p>   |   |   |
| <p>Russian Federation<br/>No prohibitions and quantitative restrictions to be abrogated in accordance with paragraph 1 of Article 3</p>  |   |   |
| <p>Republic of Tajikistan<br/>No prohibitions and quantitative restrictions to be abrogated in accordance with paragraph 1 of Article 3</p>  |   |   |
| <p>Ukraine<br/>No prohibitions and quantitative restrictions to be abrogated in accordance with paragraph 1 of Article 3</p>   |   |   |

**Annex No. 3  
to the Treaty on a Free-Trade Area  
of October 18, 2011**

**EXCEPTIONS**

**FOR THE TRANSITIONAL PERIOD WITH REGARD TO ARTICLES 5 "NATIONAL REGIME" AND 10 "GRANTING OF SUBSIDIES"**

| Description of measures  | Effective date of measure   |
|--|---|
| Republic of Kazakhstan   |   |
| <p>With regard to Article 5</p> <p>Provisions of this Treaty shall not prevent the Republic of Kazakhstan from applying requirements to mandatory procurement of domestically produced goods while fulfilling invest projects and contracts for the use of mineral resources within the frames of the legislation of the Republic of Kazakhstan, including the law of the Republic of Kazakhstan "On mineral resources and the use of mineral resources", and granting benefits to domestic producers while exercising procurement by companies, which directly or indirectly are owned by the government (where state share is 50% and more)</p>  | <p>Until the entry into force respective commitments of the Republic of Kazakhstan within the frames of the WTO</p> |
| <p>With regard to paragraph 2 Article 10</p> <p>1. Conditional price reduction for domestic producers while exercising procurement by the users of mineral resources and companies, which are directly or indirectly owned by the government (where state share is 50% and more)</p>   | <p>Until the entry into force respective commitments of the Republic of Kazakhstan within the frames of the WTO</p> |
| <p>2. Subsidizing of banks credit interest rate of export oriented productions according to the Decision of the Government of the Republic of Kazakhstan of 13 April, 2010 No. 301 "On adoption of the Programme "Business Road Map 2020"</p>  | <p>Until 1 July, 2016 for credits issued by credit organisations until 1 July 2011</p>                              |
| <p>3. Release of goods, recognized as Kazakh in accordance with the criteria of sufficient processing, from customs duties and taxes at exportation from the customs regime "Free Storage" to the customs territory of the Customs Union in accordance with the Codex of the Republic of Kazakhstan of 30 June, 2010 "On customs issues of the Republic of Kazakhstan", the law of the Republic of Kazakhstan of 10 December, 2008 No. 99-1 "On taxes and mandatory payments to the budget" (Tax Code), the Decision of the Government of the Republic of Kazakhstan of 20 October, 2009 No. 1647 "On adoption of Rules for determining the country of origin of goods, composition and issuance of the act of examination on the origin of goods and formation, verification and issuance of the certificate of origin", the Agreement between the Government of the Republic Belarus, the Government of the Republic of Kazakhstan and the Government of the Russian Federation on free storage and customs procedure of free storage of 18 June, 2010</p> | <p>Until 1 January, 2017</p>  |
| <p>4. Preferences granted under agreements on industrial assembly of motor means of transport, concluded in accordance with the legislation of the Republic of Kazakhstan</p>  | <p>Until 31 December, 2020</p>  |

| Russian Federation   |                         |
|--|-------------------------|
| <p>With regard to paragraph 2 Article 10</p> <p>1. Measures with regard to investments agreements, which include provisions established by the Decree of the President of the Russian Federation of 5 February 1998 No. 135 "On additional measures for attraction of foreign investments for development of national automobile industry", the Decision of the Government of the Russian Federation of 23 April, 1998 No. 413 "On additional measures for attraction of foreign investments for development of national automobile industry", of 29 March, 2005 No. 166 "On introduction of changes to the Customs tariff of the Russian Federation in respect of automobile components, imported for industrial assembly" or acts, adopted in its changes.</p> | Until 31 December, 2020 |
| <p>2. Measures applied in accordance with the Federal law of 22 January, 1996 No. 13-FL "On special economic zone in Kaliningrad region"</p>   | Until 1 April, 2016     |
| <p>3. Measures applied in accordance with the Federal law of 31 May, 1996 No. 104-FL "On special economic zone in Magadan region"</p>  | Until 1 January, 2015   |

**Annex No. 4  
to the Treaty on a Free-Trade Area  
of October 18, 2011**

**DISPUTE SETTLEMENT PROCEDURES**

1. If within 60 days after the receipt of the request for consultations referred to in paragraph 2 of Article 19 of the Treaty, the Parties did not solve their dispute or did not come to an agreement about solving it through conciliation, mediation or any other method, then the Party, which considers that the other Party to the dispute does not perform its obligations under the Treaty and such failure to meet obligations causes or threatens to cause injury to economic interests of the first Party, may notify the other Party to the dispute and other Parties on its decision to pass the dispute for resolution to the Commission of experts.

2. In its notification, the Party sets out the substance of the dispute, indicating which provisions of the Treaty, in its opinion, are related to the dispute, as well as appoints a member of the Commission of experts and suggests up to three candidates to the position of Chairman of the Commission of experts.

3. The other Party, involved in the dispute, within 15 days from the date of the receipt of the notification, referred to in paragraph 1 of these Procedures, shall appoint a member of the Commission of experts and suggests up to three candidates to the position of Chairman of the Commission of experts, on what shall notify the first Party and other Parties.

4. Both Parties seek to reach an agreement concerning the Chairman of the Commission of experts within 15 days after the appointment of the member of the Commission of experts pursuant to paragraphs 2 and 3 of these Procedures. In case of achieving the consent the Parties shall notify about this the other Parties.

5. If a member of the Commission of experts was not appointed by the Party pursuant to paragraphs 2 and 3 of these Procedures or if the Parties have not reached an agreement on the

Chairman of the Commission of experts pursuant to paragraph 4 of these Procedures, such member of the Commission of experts and its Chairman are appointed by the Chairman of the CIS Economic Court within 15 days after the expiration period specified in paragraph 4 of these Procedures.

6. In the event of death or denial of the member or the Chairman of the Commission of experts of participation in the work another person is appointed (elected) in his place within 15 days, in accordance with the procedure, which was used in his appointment (election). In this case, the duration of work specified for the Commission of experts, shall be suspended for the period starting on the day of death or denial of a person and finishing on the day of appointment (election) in his place another person.

7. In accordance with these Procedures appointment (election) of members and the Chairman of the Commission of experts is carried out from persons, included in the list compiled by the Depositary of the Treaty in accordance with proposals of the Parties. Within 90 days after the entry into force of the Treaty, the Parties shall submit such proposals to the Depositary of the Treaty.

Each Party may nominate three individuals, willing and able to perform responsibilities of the members of the Commission of experts. The names of all persons, designated in such a way, form the list of persons invited to solve the disputes.

Such persons are appointed based solely on their objectivity, integrity and sound judgment, and they shall possess broad knowledge and experience in law, international trade, or in other matters covered by the Treaty. When performing any responsibilities in accordance with these Procedures, such designated persons shall not have relations with any Party or receive instructions from it.

These persons shall be appointed for a term of five years, which may be renewed, and perform their responsibilities until their successors are appointed. The appointed person, whose term of office expires, continues to perform any of the responsibilities for which that person was elected according to these Procedures.

8. Except for the cases, when the Parties to the dispute agree otherwise, the Chairman of the Committee of experts shall not be a citizen of the Parties, which are the Parties to the dispute.

9. When settling a dispute, interests of other Parties are taken into account. Any other Party, having substantial interest in the case, has the right to be heard by the Commission of experts and to send its written submission, provided that the Parties to the dispute, as well as the other Parties, have received written notice of its interest not later than the date of establishing the Commission of experts.

10. The Commission of experts is considered to be established from the date of notification pursuant to paragraph 4 or paragraph 5 of these Procedures.

11. The Committee of experts in its work is guided by the Standard rules of dispute resolution procedures set forth in the Annex to these Procedures. The Commission of experts also has the right to adopt additional rules of procedure not contradicting the Standard rules of dispute resolution procedure.

12. In considering the case in the Commission of experts each Party involved in the dispute, and any other Party that notified on its interest in accordance with paragraph 9 of these Provisions, have the right for at least one hearing in the Commission of experts and on a written submission. Parties to the dispute shall also have the right to submit written counter-arguments.

The Commission of experts may consider favorably the request of any other Party, notifying its interest in accordance with paragraph 9 of these Provisions, for access to any written submission to the Commission of experts with the consent of the Party that has made the submission.

13. Having considered counter-arguments, the Commission of experts submits to the Parties to the dispute for their consideration descriptive sections of its draft written report, including a statement of facts and summary of arguments, put forward by the Parties to the dispute. The Parties to the dispute have the opportunity to provide written comments on the descriptive sections within the period established by the Commission of experts.

14. After the date established for the submission of comments by the Parties, the Commission of experts submits for consideration to the Parties to the dispute a preliminary written report,

including both descriptive section and proposed findings and decisions of the Commission of experts.

Within a specified, by the Commission of experts, period a Party to the dispute may address the Commission of experts with a written request for a revision by the Commission of experts of certain aspects of the preliminary report prior to issuance of a final report.

Up until the release of the final report the Commission of experts may, at its discretion, meet with the Parties to the dispute for consideration of issues raised in such a request.

15. The final report contains descriptive sections (including presentation of facts and a summary of arguments, put forward by the Parties to the dispute), conclusions and findings of the Commission of experts, as well as discussion of arguments, put forward on specific aspects of the preliminary report during its review. In the final report each significant question, raised to the Commission of experts and critical for resolution of the dispute, and decision, adopted by the Commission of experts, is discussed.

16. The Commission issues its final report, providing it immediately to the Parties to the dispute, and also distributes the final report among the other Parties.

17. The proceedings of the Commission of experts are of confidential nature. The Commission of experts objectively examines issues, submitted for its consideration, including circumstances of the dispute and compliance of measures to provisions of the Treaty.

18. While exercising its responsibilities, the Commission of experts shall consult with the Parties to the dispute and provide them with adequate opportunity to come to a mutually acceptable decision. If the Parties to the dispute agree otherwise, the Committee of experts shall base its decision on arguments and submissions of the Parties to the dispute.

19. If the Parties to the dispute agree otherwise, all used by the Commission of experts procedures, including the issue of its final report, shall be completed within 180 days of the date of the establishment of the Commission of experts.

In cases of special urgency, including disputes related to perishable goods, the Commission of experts is doing everything possible to complete the issue of the final report within 90 days from the date of its establishment. Under no circumstances this period shall not exceed 120 days.

The Commission of experts may make a preliminary decision on whether the case is urgent.

20. The Committee of experts by itself determines its own jurisdiction; such decision shall be final and binding.

Any objection by a Party to the dispute, which considers that a dispute is not within the competence of the Commission of experts, is considered by the Commission, which decides to either consider such objection as a preliminary question or attach it to the circumstances of the dispute.

All decisions of the Commission of experts, including the adoption of the final report and issue of preliminary conclusions are adopted by the majority of votes.

21. If the Commission of experts came to the conclusion that the measure introduced or maintained by the Party against which the complaint is filed does not comply with the provisions of the Treaty, the Commission recommends to bring the measure into conformity with the Treaty. In addition to its recommendations, the Commission of experts can suggest ways of implementation of the recommendation.

Party against which the complaint is filed within 30 days from the date of issue of the final report of the Commission of experts shall inform the other Party to the dispute and other Parties on measures it intends to take in order to implement the decisions and/or recommendations of the Commission of experts, and, where appropriate, of the reasonable time, which, in its opinion, is necessary for adoption of measures.

22. If a Party does not implement within a reasonable time a decision and/or recommendation, contained in the final report of the Commission of experts, the Party involved in the dispute and suffered damage as a result of such non-compliance, may address the Party, which does not implement the decision, a written request to the Party, which does not implement the decision, to enter into negotiations in order to agree on a mutually acceptable compensation. In case of the

receipt of such request the Party, which does not implement the decision, shall promptly enter into such negotiations.

23. If within 30 days from the date of submission of a request for a mutually acceptable compensation, the agreement cannot be reached, the Party suffered from damage has the right to suspend with regard to the Party, which does not implement the decision of the Commission of experts, the effect of concessions or other obligations under the Treaty, which size and/or effect are/is equivalent to nullified or reduced benefits from the application of measures in violation of the Treaty.

If suspension of concessions or other obligations under the Treaty in the same sector or sectors, which were influenced by the measure, recognized as inconsistent to the Treaty, is impossible or ineffective, then the Party suffered from damage can suspend concessions or other obligations under the Treaty in other sectors.

24. Prior to suspension of concessions or other obligations the Party suffered from damage shall inform the Party, which does not implement the decision, on the nature and extent of intended suspension.

If the Party, which does not implement the decision, addresses the Party suffered from damage a written objection to the proposed final volume of suspended concessions or other obligations, then such objection is transmitted to arbitration, as provided below. The proposed suspension of concessions or other obligations is postponed until the completion of arbitration and up to the moment when the decision of the arbitration panel will be final and binding.

25. The arbitration Commission is the same Commission of experts, which takes the decision or recommendation in relation to breach of the Treaty, and is working on its procedural rules.

26. The arbitration Commission determines whether the level of concessions or other obligations, proposed to suspension by the Party suffered from damage, the level of reduction or nullification of benefits, as well as the applicability of such suspension. It does not consider the nature of suspended concessions or obligations, except for cases, when it is inseparable from determination of volumes of suspended concessions or obligations.

27. The arbitration Commission shall send its written determination to Parties suffered from damage and which does not implement the decision, and other Parties within 60 days from the establishment of the Commission or within the other period, which can be agreed between Parties suffered from damage and which does not implement the decision.

Determination by the arbitration Commission becomes final and binding within 30 days from the date of its issue.

28. Suspension of benefits is of temporary nature and applies by the Party suffered from damage up to the moment when the measure, recognized inconsistent to the provisions of the Treaty, will not be canceled or changed in order to bring it into conformity with the provisions of the Treaty or until the Parties have not reached another mutually acceptable solution.

29. Any period referred to these Provisions can be extended by mutual agreement of the Parties.

Additions to Annex 4  
(Dispute Settlement Provisions)  
to the Treaty on a Free-Trade Area  
of 18 October, 2011

## **STANDART RULES FOR DISPUTE SETTLEMENT PROCEDURES**

### Definitions

1. In these Standard rules:

"adviser" means a person employed by a Party to advise or assist it in connection with proceedings in the framework of the Commission of experts;

"the complainant Party" means any Party making a request to establish a Commission of experts in accordance with these Standard rules;

"a representative of a Party" means an employee of a state institution or any other public authority of the Party.

2. If the Parties have not agreed otherwise, they meet with the Commission of experts within 15-day period from the date of its establishment in order to solve the following issues:

the amount of remuneration of the members and the Chairman of the Commission of experts and the size of reimbursement of expenses, which usually correspond to WTO rules, procedure and terms of payment of remuneration and expenses;

the venue and organisation of proceedings;

some other issues, which, in Parties' opinion, need to be solved.

Paid remuneration and expenses shall be shared between the conflicting Parties in equal terms.

### Credentials

3. If Parties have not agreed otherwise within 20 days from the date of the request for establishment of a Commission of experts, its powers are as follows: to consider, in light of relevant provisions of the Treaty matters set out in the notification, submitted pursuant to paragraph 2 of the Standard rules, and to give an opinion on conformity of challenged measures of the Treaty.

4. Parties shall immediately bring the agreed powers to the attention of the Committee of experts.

### Written submissions and other documents

5. The Party or the Commission of experts shall send any request, written submission or other document in accordance with the agreement reached pursuant to paragraph 2 of the Standard rules as part of conducting the proceedings.

6. A Party shall, if possible, provide a copy of the document on magnetic carrier.

7. If otherwise is not specified in accordance with paragraph 2 of the Standard rules, the Party shall transmit a copy of each of its written submission to the other Party and each of the members of the Commission of experts.

8. The complainant Party shall submit its initial written submission no later than 25 days from the date of establishment of a Commission of experts.

The respondent Party shall send its written counter-submission no later than 20 days from the date of receipt of the original written submission.

If otherwise is not specified pursuant to paragraph 2 of the Standard rules in respect of any request, notice or other document relating to work of the Commission of experts and covered by provisions of paragraph 6 or 7 of these Standard rules, one Party shall present the other Party, and each of the members of the Commission of experts a copy of the document by facsimile or other means of electronic data transmission.

9. Insignificant errors of clerical nature in any request, notice, written submission or other document related to work of the Commission of experts, can be corrected by submission of a new document with clear indication of made changes.

10. If the last day of the document delivery falls on official holiday or any other day, when institutions do not work under the government decision or due to force majeure reason, the document may be delivered on the next working day

### Organization of work of the Commission of experts

11. All meetings of the Commission of experts are conducted by its Chairman.

The Commission of experts may delegate to the Chairman the authority to make decisions on administrative and procedural matters.

12. Except for cases when otherwise provided by these Standard rules, the Commission of experts can carry out its work by any means, including by telephone, Fax or computer communication.

13. In discussions at meetings of the Commission of experts only representatives of the Parties can participate, but the Commission of experts may allow assistants, administrative staff, interpreters and translators to be present during any such discussion.

Any person present at the discussion shall respect the confidentiality to the extent required to perform this task during exercising his functions or after their completion.

14. If a procedural matter occurred, which is not covered by these Standard rules, the Commission of experts can adopt the appropriate procedure, which shall not contradict the Dispute settlement procedures.

15. If the Commission of experts considers that there is a need to change any of time-frames of work or to make any other procedural or administrative adjustments in the work, it shall inform the Parties in writing about the reasons for such changes with the indication of necessary time-frames or adjustments.

### Hearings

16. The Chairman sets the date and time of hearings in consultation with the Parties and other members of the Commission of experts in accordance with the agreement reached in the framework of paragraph 2 of the Standard rules.

The Parties shall be notified in written form about the date, time and place of hearings in accordance with the agreement reached in the framework of paragraph 2 of the Standard rules.

17. If Parties have not agreed otherwise, hearings shall be held in the city of Saint-Petersburg.

18. The Commission of experts may convene additional hearings, if Parties agree on that.

19. At hearings the following persons may be present:

representatives of the Parties;

advisers of the Parties, provided that they do not appeal to the Commission of experts and that neither they, nor their employers, business partners or family members do not have any financial or personal interest in proceedings;

administrative staff, translators and interpreters;

assistants of representatives of the Parties.

20. Not later than five days prior to the date of the hearing each Party presents a list of those who will act or expound the facts at the hearing on behalf of that Party, and other representatives or advisers who will be present at the hearing.

21. The hearing shall be conducted by a Commission of experts provided that the complainant Party and the responding Party will be provided with equal time.

### Argumentation

22. Argumentation of the complainant Party.

23. Counter-arguments by the responding Party.

### Denials

24. The answer by the complainant Party.

25. The answer of the responding Party.

26. During the hearing the members of the Commission of experts may address questions to any of the Parties at any time.

27. The Protocol of each hearing shall be made in accordance with the agreement reached in

the framework of paragraph 2 of the Standard rules, and in the shortest time possible after its completion it is submitted to the Parties and the Commission of experts.

28. In the course of work the Commission of experts may at any time address questions in writing to one or both Parties.

29. The Party, which the Commission of experts shall send written questions, shall provide a copy of any written response.

Each Party is given the opportunity to provide written comments on the response within five days after its submission.

30. Within 10 days after the date of the hearing each Party may submit additional written submission to any matter arising in the course of the hearing.

#### Rules of interpretation and the burden of proof

31. The Commission interprets the provisions of the Treaty in accordance with the norms of international public law.

32. The Party claiming, that the measure of the other Party does not comply with provisions of the Treaty, carries the burden of proof of such inconsistency.

33. The Party, claiming that the measure falls under the exception in accordance with the Treaty, carries the burden of proof that such exception is applied.

#### Confidentiality

34. Parties, all the experts involved in preparation and conduct of proceedings, and all the participants of the hearing shall maintain confidentiality of the hearing at the Commission of experts, its work and initial report, as well as of all written submissions and reports to the Commission of experts.

35. The Commission of experts may request the information. In this case neither of both Parties is required to provide information, if the disclosure of such information to the requesting authority is prohibited by the national legislation of the Party, which owns the information, or it will be incompatible with essential interests of that Party.

36. Confidential information, which distribution is not prohibited, but legally restricted, or which in case of distribution might affect interests of the Parties, is provided only with the written consent of the source of this information.

37. The Commission of experts shall keep and ensure confidentiality of any information provided to it in confidential form by a Party during proceedings, and rejects any petition from a third Party to disclose such information, which does not have the authority from the Party, which provided the information.

#### Contacts without participation of one of the Parties

38. The Committee of experts shall not meet with any of the Parties and shall not have contacts with it in the absence of the other Party.

#### The role of experts

39. At the request of one of the Parties or on its own initiative, the Commission of experts may request from any person or body information or technical assistance, which it deems appropriate, provided that the Parties agree with this, and in accordance with the conditions, which the Parties may agree on.

40. If, in accordance with paragraph 39 of the present Standard rules, a request is submitted to provide a written report of the expert, any period, applicable to proceedings in the Committee of experts, shall be suspended for a period, starting from the date of submitting such a request and

ending on the day of submission of the report to the Commission of experts.

#### Reports of the Commission of experts

41. If the Parties have not agreed otherwise, the Committee of experts bases its report on submissions and arguments of the Parties and on any information, submitted to it in accordance with paragraph 39 of the present Standard rules.

42. After consideration of written comments of the Parties on the initial report the Commission of experts on its own initiative or at the request of one of the Parties may:  
request the opinion of the other Party;  
review its report;  
conduct any other study, which it deems necessary.

#### Cases of special urgency

43. In cases of special urgency, the Commission of experts accordingly adjusts the timing of submission of the initial report and comments of the Parties on such report.

#### Translation and interpretation

44. A Party shall notify in written form of the language, on which written and oral submissions will be made, not later than at the meeting as provided for by paragraph 2 of the Standard rules.

Each Party shall arrange and bear the costs for translation of its written submissions in Russian. At the request of the Party, which filed the submission, the Commission of experts may suspend the proceedings for a period necessary to ensure that this Party has completed the translation.

The reports of the Commission of experts shall be made in Russian.

#### Calculation of time

45. Where it is necessary to do something in accordance with the Disputes settlement procedures and these Standard rules, or when the Commission of experts requires to do something within a number of days after, before or on a specific date or during a specific meeting, the stated date or the date, when the meeting takes place, shall not be taken into account for calculating this number of days.

46. When due to the effect of paragraph 10 of the present Standard rules a Party receives a document on the day, other than that, when the same document was received by the other Party, any period, calculation of which depends on such receipt, is calculated from the date of receipt of the last such document.

**Annex No. 5  
to the Treaty on a Free-Trade Area  
of October 18, 2011**

**LIST  
OF INTERNATIONAL DOCUMENTS WHOSE EFFECT SHALL TERMINATE AFTER  
THE ENTRY INTO FORCE OF THIS TREATY ON A FREE-TRADE AREA**

| Name of document   | Note |
|--|------|
| 1. Agreement on the Creation of a Free-Trade Area (April 15, 1994, Moscow, Council of the Heads of the CIS States)   |      |
| 2. Protocol on Amending and Supplementing the Agreement on the Creation of a Free-Trade Area of April 15, 1994 (April 2, 1999, Moscow, Council of the Heads of the CIS States)   |      |
| 3. Protocol on the Rules for the Procedure for Conducting Consultations on the Step-by-Step Abolition of Exceptions from the Regime of Free Trade of the Member States of the Agreement on the Creation of a Free-Trade Area (December 24, 1999, Moscow, CIS Economic Council on behalf of the Council of the Heads of the CIS States) |      |
| 4. Protocol on the Rules for Import Licensing by the Member States of the Agreement on the Creation of a Free-Trade Area (November 30, 2000, Minsk, Council of the Heads of the CIS States)  |      |
| 5. Protocol on the Step-by-Step Abolition of Restrictions in Mutual Trade of the CIS Member States (June 3, 2005, Tbilisi, Council of the Heads of the CIS States)   |      |

**Annex No. 6  
to the Treaty on a Free-Trade Area  
of October 18, 2011**

**APPLICATION  
OF PARAGRAPH 1 OF ARTICLE 18 OF THE TREATY BY  
THE MEMBER STATES OF THE CUSTOMS UNION**

In case of participation of one of the Parties in the agreement stipulated by paragraph 1 of Article 18 leads to import growth from such Party in such volumes, which causes injury or threatens to cause injury to the industry of the Customs Union, then the member states of the Customs Union shall, without prejudice to application of Articles 8 and 9 of this Treaty, after the conduct of relevant consultations by the Parties, reserve the right to introduce duties with respect to import of relevant goods from such first Party in volume of rate of the most-favored nation regime.