

**Accepted by the decision of
the EurAsEC Interstate
Council (At the level of
Heads of Government) on
December 12, 2008 № 400**

**AGREEMENT ON ESTABLISHING OF INFORMATION SYSTEM OF EURASIAN ECONOMIC COMMUNITY
IN THE FIELD OF TECHNICAL REGULATIONS, SANITARY AND PHYTOSANITARY MEASURES**

Accepted by the decision of the EurAsEC № 400 Interstate Council (At the level of Heads of Government) as of December 12, 2008)

The governments - members of the Eurasian Economic Community, hereinafter referred to as the Parties,

based on the Treaty establishing the Eurasian Economic Community dated 10 October 2000

Recognizing the desirability of a agreed policy in technical regulations, sanitary, veterinary and sanitary and phytosanitary measures,

Bearing in mind the rules and principles of the Agreement on Technical Barriers to Trade and the Agreement on the Application of Sanitary and Phytosanitary Measures of the World Trade Organization, adopted by the Uruguay Round of multilateral trade negotiations, 15 April 1994 in Marrakesh,

agreed as follows:

Article 1

1. Definitions used in this Agreement, the following meanings:

"Information resources" - the information and documents as well as the totality of the information and documents on technical regulations, sanitary, veterinary and sanitary and phytosanitary measures that are stored on paper and electronic media, collected in the open library collections, archives, databases and data banks;

"Information system" - a set of information resources in the field of technical regulations, sanitary, veterinary and sanitary and phytosanitary measures and ensure their handling of information technologies and technical resources of the Secretariat of the Integration Committee of Eurasian Economic Community, including its official website on the Internet, as well as used in the states - members of the Eurasian Economic Community of information resources in the field of technical regulations, sanitary, veterinary and sanitary and phytosanitary measures and ensure their handling of information technologies and technical resources.

2. Terms not specifically defined herein are used in the values set by other international treaties, the States Parties.

Article 2

This Agreement defines the objectives and principles of an information system, as well as the composition of its information resources.

Article 3

1. The objectives of an information system are:

a) To ensure information sharing and information exchange among States Parties in the field of technical regulations, sanitary, veterinary and sanitary and phytosanitary measures (hereinafter - the sanitary and phytosanitary measures);

b) access to the texts adopted by the documents and texts of draft documents developed by the Eurasian Economic Community, as well as to the information resources of the States Parties;

a) To provide and exchange information about the documents of the States Parties in the field of technical regulations, sanitary and phytosanitary measures, including on international treaties in this area, to which the State Parties;

g) Providing information support development of technical regulations of the Eurasian Economic Community (hereinafter - the technical regulations);

e) provision of information about violations of the requirements of technical regulations, causing harm to life and human health, property, environment, life and health of animals and plants as a result of such violation, as well as the products of danger to human life and health, property, environment, life and health of animals and plants.

2. An information system based on the following principles:

a) the availability, reliability and completeness of information;

b) the timely provision of information;

a) match the level of modern information technologies;

d) integration with the information system of each State Party's technical regulations, sanitary and phytosanitary measures.

3. The information system is open to all users.

Article 4

The information system is created and maintained by the Secretariat of the Integration Committee of Eurasian Economic Community, through its official website on the Internet, together with information centers of the Parties on technical regulations, sanitary and phytosanitary measures are established and operated in accordance with the legislation of each Party (hereinafter - information centers).

Article 5

The information system includes the following information resources, with the exception of information constituting state secrets and other secrets protected by law of the States Parties:

a) information and documents relating to:

national bodies coordinating the work on technical regulations, sanitary and phytosanitary measures;

information centers;

accreditation bodies;

accredited and (or) the designated certification bodies and accredited test laboratories (centers) in accordance with the legislation of each of the Parties;

of state control (supervision) in technical regulations, sanitary and phytosanitary

measures;

certificates of conformity and declaration of conformity;

products, representing a danger to human life and health, property, environment, life and health of animals and plants, received from international organizations and third States;

violations of the requirements of technical regulations and sanitary and phytosanitary requirements identified in the territories of States Parties, including the implementation of state control (supervision);

facts of the injury and damage to human life and health, property, environment, life and health of animals and plants (according to the size of the injury) because of violations of mandatory requirements, including requirements of technical regulations;

measures taken to address violations of the requirements of technical regulations and sanitary and phytosanitary requirements;

b) other information and documents relating to technical regulations, sanitary and phytosanitary measures;

a) texts:

international legal instruments in the field of technical regulations, sanitary and phytosanitary measures taken within the Eurasian Economic Community;

programs of elaboration of technical regulations;

draft technical regulations;

technical regulations;

notifications associated with the processes of development, adoption and the bringing into force of technical regulations, sanitary and phytosanitary measures;

z) lists (to bringing the links to official sites of the information centers on the Internet, which included the text of relevant documents):

normative-legal acts of States Parties, as well as decisions on sanitary and phytosanitary measures applied in the States Parties;

regional (interstate) standards, with information on their acceptance by States Parties, if such standards are prescribed by the laws of the State of each of the Parties;

national technical regulations and national programs (plans) of their development;

programs (plans) to develop national (state) standards;

regional (interstate) standards if such standards are prescribed by the laws of the States Parties, as well as national (state) standards, which can be applied on a voluntary basis to demonstrate product compliance with technical regulations;

documents of the Parties to assess (confirm) compliance;

instruments of products subject to mandatory confirmation of conformity in the States Parties.

Article 6

Disputes concerning the application or interpretation of the provisions of this Agreement shall be settled through consultations and negotiations between the parties and, if there is no agreement, such disputes referred by either of the Parties concerned to the Court of the Eurasian Economic Community.

Article 7

By agreement of the Parties this Agreement may be amended, and amendments are drawn in the form of separate protocols.

Article 8

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

Done in Moscow on 12 December 2008 in one original copy in Russian.

The original copy of this Agreement shall be kept in the Integration Committee of Eurasian Economic Community, which, as the depositary of this Agreement, will send to each Party a certified copy.

Republic of Belarus

Republic of Kazakhstan

Kyrgyz Republic

Russian Federation

Republic of Tajikistan

Republic of Uzbekistan