

No. 56075*

**Belarus, Kazakhstan
and
Russian Federation**

Protocol on certain temporary exceptions from the regime of functioning of the common customs territory of the Customs Union between the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation. Astana, 5 July 2010

Entry into force: *provisionally on 6 July 2010, in accordance with article 6*

Authentic text: *Russian*

Registration with the Secretariat of the United Nations: *Eurasian Economic Commission, 1 November 2019*

Note: *See also annex A, No. 56075.*

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**Bélarus, Kazakhstan
et
Fédération de Russie**

Protocole relatif à certaines exceptions temporaires au régime de fonctionnement du territoire douanier commun de l'Union douanière entre la République du Bélarus, la République du Kazakhstan et la Fédération de Russie. Astana, 5 juillet 2010

Entrée en vigueur : *provisoirement le 6 juillet 2010, conformément à l'article 6*

Texte authentique : *russe*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Commission économique eurasiennne, 1^{er} novembre 2019*

Note : *Voir aussi annexe A, No. 56075.*

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Participant	Ratification	
Belarus	14 Jul	2011
Kazakhstan	5 Apr	2011
Russian Federation	17 Jun	2011

Note: The texts of the declarations and reservations are published after the list of Parties -- Les textes des déclarations et réserves sont reproduits après la liste des Parties.

Participant

Ratification

Bélarus	14 juil	2011
Fédération de Russie	17 juin	2011
Kazakhstan	5 avr	2011

[TRANSLATION – TRADUCTION]

PROTOCOL ON CERTAIN TEMPORARY EXCEPTIONS TO THE
ARRANGEMENTS FOR THE FUNCTIONING OF THE SINGLE CUSTOMS
TERRITORY OF THE CUSTOMS UNION BETWEEN THE REPUBLIC OF
BELARUS, THE REPUBLIC OF KAZAKHSTAN AND THE RUSSIAN
FEDERATION

The Republic of Belarus, the Republic of Kazakhstan and the Russian Federation, hereinafter referred to as “the Parties”,

Considering the accord on the establishment of temporary exceptions to the arrangements for the functioning of the single customs territory of the Customs Union, which have been established by the international treaties of the member States of the Customs Union that constitute the legal framework of the Customs Union,

Considering that it is necessary speedily to complete the formation of a single economic space comprising the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation,

Recognizing the need completely to abolish all restrictions on reciprocal trade and to adopt unified customs arrangements for trade with third countries,

Have agreed as follows:

Article 1

The rate and amount of customs duties and taxes paid on motor cars and other means of motorized transportation for private use chiefly intended for the conveyance of persons, which are classified under heading 8703 of the unified foreign trade commodity nomenclature of the Customs Union (hereinafter referred to as “the nomenclature”), apart from four-wheeled motorcycles, snowmobiles and other light transport vehicles classified under heading 8703 of the nomenclature that are not intended for movement on public highways (hereinafter referred to as “motor cars”), shall be established by the law of the Party in the territory of which such motor cars are released, but shall not be lower than the analogous rates obtaining in the Republic of Belarus on 1 January 2010.

When motor cars are in customs transit from the customs authority of one Party to the customs authority of another Party, the sum of the customs duties and taxes paid shall be determined on the basis of the sum of the customs duties and taxes payable on release of the motor cars for the purposes of permanent use in the territory of the Party the customs authority of which releases the motor cars, but shall be no less than the sum of customs duties and taxes due on these motor cars in the other Parties.

The provisions of this article shall remain in force until 1 July 2011.

Article 2

When goods imported into the customs territory of the Customs Union are released in one Party (the releasing State) and then imported into the territory of another Party (the importing State) under the law of which special protective, anti-dumping, compensatory or retaliatory

measures are established in respect of these goods, or which, depending on the country of origin of the goods and the conditions of their importation, applies customs duties which are higher than those of the State of release, customs inspection and declaration shall take place on import into the State of importation and the requisite measures shall be taken and/or customs duties shall be collected in accordance with the law of the State of importation.

Goods imported into one Party from the territory of another Party shall be subject to customs declaration in the former Party if it applies to these goods special protective, anti-dumping, compensatory or other measures provided for in the legal framework of the Customs Union.

A Party which has established such measures may determine the rules governing the presence of the goods in its territory and activities involving these goods.

The Parties shall take steps to complete the harmonization of trade regimes with third countries and also to review special protective, anti-dumping and compensatory measures.

The provisions of this article shall remain in effect until the date on which the depositary receives final written notification through the diplomatic channel that the Parties have fulfilled the domestic requirements for the entry into force of the international agreements specified in the plan of action for the formation of a single economic space comprising the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation, approved by Decision No. 35 of the Inter-State Council of the Eurasian Economic Community (the supreme body of the Customs Union), meeting at the level of Heads of State on 19 December 2009.

Article 3

On import into the territory of the Republic of Belarus or of the Russian Federation, the goods listed in annex No. 5 to Decision No. 130 of the Commission of the Customs Union of 27 November 2009, to which the Republic of Kazakhstan applies customs duty rates different from those established in the unified customs tariff of the Customs Union, shall be subject to customs declaration and inspection and the customs duties collected on them shall amount to the difference between the import customs duties listed in the unified customs tariff of the Customs Union and the import customs duties paid on release of the goods.

The Republic of Belarus and the Russian Federation shall be entitled to establish rules for the presence of the above-mentioned goods in their territory.

The provisions of this article shall remain in effect until the date on which the depositary receives final written notification through the diplomatic channel that the Parties have fulfilled the domestic requirements for the entry into force of the international agreements stipulated in the plan of action for the formation of a single economic space comprising the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation, approved by Decision No. 35 of the Inter-State Council of the Eurasian Economic Community (the supreme body of the Customs Union), meeting at the level of Heads of State on 19 December 2009.

Article 4

For the purposes of giving effect to articles 2 and 3 of this Protocol, the Parties may monitor and register goods and means of transport moving from the territory of one Party to the territory of another Party while the above-mentioned articles are in effect.