

If the decision of the Court of the EAEU is not implemented within the specified period of time or if the Court of the EAEU decides that the measures which were notified by the respondent member State are not consistent with the provisions of this Article and Annex 28 to this Treaty, the complainant member State shall be entitled to take proportionate counter measures.

8. The period when member States may challenge a specific subsidy, provided in violation of Annex 28 to this Treaty, shall be 5 years from the date of provision of specific subsidy.

SECTION XXV

AGRO-INDUSTRIAL COMPLEX

ARTICLE 94

Objectives and Tasks of Harmonized (Coordinated) Agro-Industrial Policy

1. In order to ensure the development of agriculture and rural areas in favor of the population of each member State and of the EAEU as a whole as well as of economic integration in the framework of the EAEU, the member States shall implement harmonized (coordinated) agro-industrial policy by, among other things, the following:

application of regulatory mechanisms provided for in this Agreement and other international agreements within the EAEU in the sphere of agro-industrial complex;

mutual provision by each member State to the other and to the Commission of production development plan for each of sensitive agricultural product. The list of such products shall be developed based on proposal of the member States and approved by the Council.

2. The aim of harmonized (coordinated) agro-industrial complex is the efficient realization of the member States resource potential for optimizing the volumes of production of competitive agricultural and food products, meeting the needs of the common agricultural market, and increasing export of agricultural and food products.

3. Implementation of harmonized (coordinated) agro-industrial complex shall cover the following objectives:

balanced development of production and markets of agricultural and food products;
ensuring fair competition between entities of the member States, including equal access to the common agricultural market;
unification of requirements relating to circulation of agricultural and food products;
protection of the interest of agricultural producers on domestic and foreign markets.

Article 95

Basic Areas of Harmonized (Coordinated) Agro-Industrial Policy and Measures of State Support to Agriculture

1. Development of objectives of harmonized (coordinated) agro-industrial complex shall provide interstate cooperation in the following areas:

- 1) forecasting in the agro-industrial complex;
- 2) state support to agriculture;
- 3) regulation of common agricultural market;
- 4) unified requirements relating to the production and circulation of the products;
- 5) development of export process of agricultural and food products;
- 6) scientific and innovative development of agro-industrial complex;
- 7) integrated information support for agro-industrial complex.

2. To implement measures of harmonized (coordinated) agro-industrial complex, regular consultations regarding, among other things, sensitive agricultural products shall be held at least once a year by the member States organized by the Commission. Based upon the results of consultations, recommendations regarding implementation of harmonized (coordinated) agro-industrial complex shall be developed within areas specified in the paragraph 1 of this Agreement.

3. In implementing harmonized (coordinated) agro-industrial complex, member States shall take into account peculiar nature of activity of the agro-industrial complex, which may include not only industrial and economic significance of the sector, but social

significance of the sector as well as structural and natural-climatic differences between regions and territories of member States.

4. Implementation of policy in other areas of integrative cooperation, including in the sphere of sanitary, phytosanitary and veterinary (veterinary-sanitary) measures for agricultural products, shall be made based upon aim, objectives and areas of harmonized (coordinated) agro-industrial complex.

5. Within the EAEU, state support to agriculture shall be implemented in accordance with the "Protocol on Measures of State Support for Agriculture (Annex No. 29 to this Treaty).

6. Disputes relating to this Article and to the Annex 29 to this Treaty shall be primarily settled through negotiations and consultations with participation of the Commission. In the event that the dispute is not resolved through negotiations and consultations within 60 calendar days from the date of a formal request for consultations made by the member State that initiated the dispute to a member State defendant, member State appellant has the right to submit the dispute for settlement to the Court of the EAEU. When submitting a formal request for consultation, a member State appellant shall inform the Commission within 10 days after the date the request is submitted.

7. To implement harmonized (coordinated) agro-industrial complex, the Commission shall perform the following duties:

- to develop, harmonized (coordinate) and implement together with member States areas of harmonized (coordinated) agro-industrial complex within the limits of its competence;

- to coordinate the preparation by member States of joint forecasts of agro-industrial complex development as well as of demand and supply of agricultural and food products;

- to coordinate member States' mutual provision of agricultural development programs;

- to monitor member States' agriculture development and measures of state support to agriculture;

- to monitor prices and to analyze competitiveness of products based on the HS Code mutually agreed by member States;

to assist in consultation and negotiation regarding the harmonization of legislation in the sphere of agro-industrial complex, including state support to agriculture and disputes settlement related to compliance of the commitment on state support to agriculture;

to monitor and implement comparative legal analysis of the legislation of member States' in the sphere of state support to agriculture on its compliance with the commitment under the EAEU;

to prepare and provide to the member States state policy review in the sphere of agriculture and state support to agriculture, including recommendations to improve the effectiveness of state support;

to provide an assistance to the member States on issues related to the calculation of state support to agriculture;

to develop together with member States recommendations on implementation of coordinated measures aimed at developing export potential in agro-industrial complex;

to coordinate joint scientific and innovative activities in the sphere of a agro-industrial complex, including those under the implementation of interstate programs by member States;

to coordinate the development and implementation by member States of unified requirements for import, export and movement of breeding products on the territory of Customs Union as well as of methods for determining the breeding value of breeding animals and breeding certificates;

to coordinate the development and implementation of unified requirements in the sphere of testing varieties and seed crops as well as the mutual recognition by member States of documents certifying varietal and sowing qualities of seeds;

to promote equal conditions for competition within the areas of harmonized (coordinated) agro-industrial complex.

Section XXVI LABOR MIGRATION

Article 96