

Russian Federation	
With regard to paragraph 2 Article 10 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.	Until 31 December, 2020
2. Measures applied in accordance with the Federal law of 22 January, 1996 No. 13-FL "On special economic zone in Kaliningrad region"	Until 1 April, 2016
3. Measures applied in accordance with the Federal law of 31 May, 1996 No. 104-FL "On special economic zone in Magadan region"	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**