

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.