

The non-tariff measures as the method of regulating the foreign economic activity of the Eurasian Economic Union

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The key principles of any trade union are the consolidation of the rules of the tariff policy of the participating countries and the mutual provision of the national regime for goods and services produced within the union. In this regard, the ability to regulate customs tariffs is significantly reduced in most developing and developed countries. In such circumstances, one of the possible ways to influence the terms of trade is to use the non-tariff regulation of international trade. In addition, it remains one of the mechanisms for restricting the import of products, which for some reason does not comply with the country's technical or environmental standards. Thus, the impact of the non-tariff measures on commodity flows is of great practical importance in the context of expanding international integration.

As part of the process of forming the Customs Union, the basic conditions of which are a single customs territory, a single customs tariff, a single trade regime and uniform customs administration rules, an attempt has been made to unify the non-tariff regulation system to make it perhaps not quite simple, but at least understandable and uniform.

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According to Article 12 of the Federal Law dated 08.12.2003 No. 164 "On the Basics of State Regulation of Foreign Trade Activity", state regulation of foreign trade activity is carried out by:

1. Customs and tariff regulation.
2. Non-tariff regulation.
3. Bans and restrictions on foreign trade in services and intellectual property.
4. Economic and administrative measures conducive to the development of foreign trade.[4]

Paragraph 17 of Article 2 of the above law gives an interpretation of the concept of "non-tariff regulation" as a method of state regulation of foreign trade in goods, carried out by introducing quantitative restrictions and other prohibitions and restrictions of an economic nature.

Article 46 "Measures of non-tariff regulation" of the Treaty of the Eurasian Economic Union establishes that in trade with third countries the uniform measures of non-tariff regulation are applied:

1. The ban on the import and (or) export of goods.
2. Quantitative restrictions on the import and (or) export of goods.
3. The exclusive right to export and (or) import goods.
4. Automatic licensing (monitoring) of export and (or) import of goods.
5. The permissive procedure for the import and (or) export of goods.[1]

These state regulation norms repeat the norms that were approved in the Agreement on common measures of non-tariff regulation for third countries of January 25, 2008 and in the Agreement on licensing rules in the field of the foreign trade in goods of June 9, 2009. It should be noted that the Agreements were the main regulatory acts governing non-tariff methods and

the procedure for issuing licenses and permits for the export and import of goods before the entry into force of the EAEU agreement.

Maintenance and application of non-tariff regulation measures are established by the Protocol on Non-tariff Regulation Measures in Relation to Third Countries (Appendix No. 7 to the EAEU Agreement).

The goods for which a decision has been made to apply non-tariff regulatory measures is included in the Unified List.

The Unified List also includes goods in respect of which the Eurasian Economic Commission decided to establish a tariff quota or import quota as a special protective measure and a decision to issue licenses.

A proposal to introduce or abolish measures of non-tariff regulation may be submitted by both a state member of the Union and the Eurasian Economic Commission.

Among the classification of measures of non-tariff regulation, it is necessary to consider the licensing procedure for the import and (or) export of goods.

This procedure is implemented through the introduction of licensing or the application of other administrative measures to regulate foreign trade. The Eurasian Economic Commission takes decisions on the introduction, application and cancellation of the permit procedure.

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Источники и литература

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- 3) Решение Коллегии Евразийской экономической комиссии от 19 апреля 2016 г. № 34 «О применении мер нетарифного регулирования».
- 4) 4. Федеральный закон от 08.12.2003 № 164-ФЗ: по состоянию на 13.07.2015 «Об основах государственного регулирования внешнеторговой деятельности» // СПС «Консультант-плюс».