

## IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT ON TECHNICAL BARRIERS TO TRADE

### Communication from the Republic of Armenia

#### Addendum

The following statement under Article 15.2 of the Agreement on Technical Barriers to Trade has been received from the Republic of Armenia.

1. The Republic of Armenia (hereinafter RA) has taken steps to establish and develop its national systems of standardization, metrology and conformity assessment. Relevant laws regulating those systems are the **Law on Uniformity of Measurements** adopted by the National Assembly on 30 April 1997, and the **Law on Standardization** and the **Law on Conformity Assessment of Products and Services to the Normative Requirements** (hereinafter Law on Conformity Assessment) both adopted on 9 November 1999. The three laws incorporate the core principles of the WTO TBT Agreement.

2. The **Law on Uniformity of Measurements** defines the legal basis for ensuring the uniformity of measurements, regulates the relations of the bodies of State governance with enterprises, institutions and private entrepreneurs on issues relating to the production and issuance of measurement instruments, and the use and repairs thereof. It is directed at protecting the rights and rightful interests of consumers and the State from the negative impact of inaccurate results of measurements.

3. The **Law on Standardization** provides the legal basis in RA for the standardization as well as certification of products, services, labour (processes) and quality systems. This is applicable to the bodies of State governance, enterprises, institutions and private entrepreneurs, and defines the means for the protection of interests of consumers and the State through the elaboration and application of normative documents on standardization. It also defines the rights, obligations and responsibilities of the participants in the certification process. The **Governmental Decree No 9 of 11 January 2000 on Preparation, Adoption and Application of Technical Regulations** was also adopted. Definitions of standards and technical regulations in these acts are in full compliance with respective definitions in Annex 1 to the TBT Agreement. Relevant Ministries are held responsible for the preparation of technical regulations according to the Law on Standardization. Non-discrimination principle as it concerns the treatment of domestic and foreign products and services, as well as the principle of equivalency of other countries' regulations are foreseen by the Decree. International and regional standards, directives and guidelines should be taken into account while elaborating national standards and regulations.

4. The **Law on Conformity Assessment** regulates the activities for voluntary and mandatory conformity assessment of production processes, goods, labour, services and quality systems to normative requirements, establishes legal bases for state control in this field, as well as determines modules for conformity assessment, conditions of product marketing, and the rights and obligations of

parties to conformity assessment. The conformity assessment mechanisms are fixed in this law. Such less expensive and less trade restrictive methods of conformity assessment, as manufacturer's declaration and conformity mark, are also included in the law. According to this Law, a certificate on conformity and a registered declaration on conformity have the same legal power, and domestic and foreign manufacturers and service providers are granted similar rights in applying declarations on conformity of products or services. Mandatory certification activities are coordinated by the Department for Standardization, Metrology and Certification (SARM), which was reorganized by joining the Ministry of Trade and Economic Development as Department of Standardization, Metrology and Conformity Assessment (Hereinafter Department) and conducted by the accredited certification bodies and testing laboratories.

5. Taking into consideration the necessity of the control over the safety of products, labour, services for the national environment, the human life and health, as well as the protection of consumer rights some products are subject to mandatory conformity assessment according to the **Decree No 239 of the Government "On Mandatory Conformity Assessment of Products and Services in the Republic of Armenia"**, which provides the descriptions and CN codes of the products involved. These products were selected taking into consideration the reports received from the inspection bodies, the Ministry of Agriculture, Sanitary-Anti-Epidemiological State Department, consumers, based also on data of research institutes and laboratories. Requirements for products covered by mandatory conformity assessment in Armenia are kept to minimum. Mandatory certification procedures are the same for both imported and domestic products. Certificates are issued for product types based on testing of samples, analysis of production system, quality system certification or declaration of supplier depending on the scheme of certification.

6. These internationally accepted certification schemes were fixed by AST 5.3. Procedures on recognition of certificates issued by foreign certification bodies are regulated by the **Decree N 247, 18 May 2000** of the Government. In the absence of agreements on mutual recognition, the Decree allows for simplified procedures on acceptance of certificates and conformity marks issued by certification bodies of other countries, if Armenian authorities are satisfied that conformity assessment procedures in those countries offered adequate assurance of conformity.

7. All relevant laws in RA relating to Technical Barriers to Trade will be brought into conformity with the requirements of the Agreement on Technical Barriers to Trade through a transition period ending on 31 December 2004.

- (a) Standards' Guide (three-month periodicity) and Catalog on Standards (annually) are published, which provide current information on issues related to standards and certifications.
- (b) Technical regulations shall be enacted at least two months after their promulgation and notification to the relevant international organizations and national bodies.
- (c) The Department of Standardization, Metrology and Conformity Assessment was denoted as the coordinator of standardization, metrology and conformity assessment activities in Armenia, and its rights and obligations are defined by the **Law on Standardization**, the **Law on Uniformity of Measurements** and the **Law on Conformity Assessment**. The three Laws serve as the legal basis for development of Quality Standardization, Metrology and Conformity Assessment Policy pursued by the Department. Being the national body in charge of the administration related to standardization, certification and metrology in Armenia its responsibilities include the creation and administration of national standardization and certification systems; the adoption of national standards and classifications; the application of international standards; the publication of official information in the fields of standardization and certification etc.

8. The National Standards Institute CJSC was established under the former SARM to perform standardization activities. The main provisions of National Standardization system and its procedures for preparation, adoption and application of Armenian standards were established by national basic standards of AST 1 series. About 270 Armenian standards have been developed by the technical committees and adopted by the former SARM since 1993. The great part of the standards applied in Armenia are international and regional (GOST) standards. More than 18000 interstate standards of CIS countries are included in the national fund of standards. Fifty per cent of national standards were aligned to international standards by 2002.

9. The Department cooperates with standards organizations in other countries and is a member of the International Organization for Standardization from 1 January 1997. Presently, Armenia is a member of ISO, EASC, which enables Armenia to participate in the elaboration of international and regional standards through technical committees and to apply these standards in Armenia.

10. The only Enquiry Point operating in Armenia is Department of Standardization, Metrology and Conformity Assessment of the Ministry of Trade and Economic Development of the Republic of Armenia, which will implement the obligations established in accordance with Article 10 of the TBT Agreement.

The address of the Department is:

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The address of the WTO Notification Agency in the Republic of Armenia is:

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11. According to the paragraphs 5 and 6 of Article I of the Procedure of Preparation, Adoption and Application of Technical Regulations approved by the Governmental Decree No 9 of 11 January 2000 the bodies authorized to prepare technical regulations should provide the WTO Notification Agency in RA with early information on their proposals to prepare new technical regulations along with justifications, so that the Agency could fulfill the obligation on corresponding notifications.

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