

ACCESSION OF UKRAINE

Communication from Ukraine

The following information concerning technical barriers to trade has been received from the Ministry for Foreign Economic Relations and Trade of Ukraine. Notifications concerning Agreements Reached by a Member with Another Country or Countries on Issues Related to Technical Regulations, Standards or Conformity Assessment Procedures are available in the Secretariat for consultation (Accessions Division, Room 1126).

INFORMATION ON TECHNICAL BARRIERS TO TRADE

- 1. Description of relevant laws, regulations, administrative orders, etc., relating to implementation and administration of technical barriers to trade. All necessary references should be provided.**

The laws of Ukraine in the following areas:

- Consumer Protection,
- Protection of Labour,
- Sanitation and Disease Control,
- Energy conservation, and
- Data Security in Automated (Computer) Systems.

regulate the procedures for enacting compulsory requirements in the technical regulations concerning: national safety, accurate information, human health and safety, animal, plant, and environmental protection. These laws do not contradict the requirements stipulated in Article 2 of the Agreement on Technical Barriers to Trade.

The main provisions regarding the organization of work in standardization and the evaluation of conformity to standards (certification) in Ukraine are outlined in the Decrees of the Cabinet of Ministers of Ukraine adopted in 1993, ratified by the Supreme Rada of Ukraine and have the same status as the laws of Ukraine:

"On Standardization and Certification";

"On Ensuring Uniformity of Measurement"; and

"On State Supervision of Adherence and Enforcement of Standards and Regulations".

These laws constitute the legislative framework of government policy in the areas of standardization, assessment of conformity (certification) of uniformity of measurements, product

packaging and labelling. However, these laws do not establish specific technical requirements, and as such, do not directly create technical barriers to international trade.

The State Committee of Ukraine on Standardization, Metrology and Certification, (Derzhstandart of Ukraine) has developed and approved the national standards (DSTU) of the State standardization system on the basis of the above legislative acts. They establish the general principles of standardization in addition to the categories of normative documents on standardization; the general procedure for developing standards, negotiating them, approving, publishing, and the implementation of standards and technical requirements for goods, works and services.

The requirements of the State system on standardization are harmonized with the requirements of the international standards organization ISO and IEC, and are based on the following principles:

- access to information on current standards and programs to develop standards;
- participation in the development of standards by all interested parties (usually standards are developed by technical committees (TC), which consist of experts working for manufacturers, consumers, and government control agencies. These experts participate on a voluntary basis);
- harmonization with international standards; and
- adoption of standards on the basis of consensus.

In accordance with the State system of standardization in Ukraine, national standards of Ukraine shall contain both compulsory requirements (concerning product safety and environmental protection, compatibility, and interchangeability) and recommended requirements.

Technical regulations of the State system for certification (UkrCEPRO) have been developed in compliance with ISO/IEC requirements (ISO/IEC 2, ISO/IEC 25, ISO/IEC 39, ISO/IEC 40), and are also consistent with ISO/CASCO directives. They provide for product conformity assessment to compulsory standards. In the Ukrainian system and UkrCEPRO requirements, conformity assessment procedures are to be applied uniformly to foreign and domestic products. Discriminatory treatment is not applied to foreign products.

The Decree of the President of Ukraine, dated 19 February 1995, No. 135-96 "On the Interdepartmental Commission on Ukraine's Accession to the General Agreement on Tariffs and Trade and the World Trade Organization" provides that all draft legislative acts concerning the reformation of Ukrainian foreign trade must undergo verification for conformity with the requirements of GATT/WTO.

2. Information regarding:

(a) names of publications, if any, on work relating to draft technical regulations or standards and procedures;

Derzhstandart of Ukraine publishes its work plans and programs on standardization in the periodical "Information Bulletin on Standardization, Metrology and Certification".

The list of the national technical regulations which are being developed is published in the official edition of Derzhstandart of Ukraine "Standards Information Index" ISSN 0205.5600.

Specific standards documents may be purchased by requesting order forms from the following addresses at Derzhstandart of Ukraine:

Frunze Street 152,
Kyiv-73 MSP,
Ukraine, Kyiv, 252073
Telephone (044) 435-42-70.

Lenin Avenue 66,
Kharkiv-164 MSP,
Ukraine, Kharkiv, 310164
Telephone (0572) 33-35-00.

Interested parties may obtain draft standards during any stage of development from the Ukrainian Research Institute for Standardization, Certification and Information Science (UkrNDISSI). This national institute prepares and verifies draft standards before they are approved.

Gorky Street 174
Kyiv-6 MSP
Ukraine, Kyiv, 252650
Fax (044) 268-70-60.

Comments and written statements on draft national standards will be considered within sixty days following issuance of the draft standard.

Draft standards are also published in professional journals and literature (eg. "Food Industry of Ukraine" and "Metals and Casting of Ukraine") in order to attract comment from professionals for the development of national standards in those specific areas.

- (b) **the name and address of the enquiry point(s) foreseen in Articles 10.1 and 10.3 of the WTO Agreement on Technical Barriers to Trade (the Agreement) with an indication as to whether it is/they are fully operational;**

The Ukrainian National Information Centre for Standardization and Certification of the International Information Network (ISONET) is an integral part of the National Automated Information Depository of Standards established by the government of Ukraine in February 1995. Currently, the National Information Centre is not fully operational. The National Information Centre plans to become partially computer automated by the fourth quarter of 1996.

Derzhstandart of Ukraine has Membership I status in ISONET.

The National Information Centre address is:

Ukraine, Kyiv, 252650.
Kyiv-6 MSP, Gorkogo Street 174,
Derzhstandart of Ukraine,
Telephone (044) 268-52-77
Fax (044) 268-56-00.

The centre operates under the auspices of the Main Depository of Standards, an office of the National Automated Information Depository of Standards.

(c) **the name and address of the agency dealing with consultations as foreseen in Article 14 of the Agreement;**

Derzhstandart of Ukraine conducts consultations and settles disputes concerning standardization and procedures for conformity assessment.

The Derzhstandart of Ukraine's address is:

Ukraine, Kyiv, 252 650,
Kyiv-6 MSP, Gorky Street 174,
Derzhstandart of Ukraine
Telephone (044) 226-29-71, (044) 268-54-35
Fax (044) 226-29-70. (044) 268-56-00.

(d) **the name and address of agencies that are dealing with other specific functions foreseen in the Agreement;**

Any questions, comments or discussions regarding draft standards of their adoption may be directed to:

Ukraine, Kyiv, 25260,
Kyiv-6 MSP, Gorky Street 174,
Derzhstandart of Ukraine
Telephone (044) 226-29-71, 268-54-35
Fax (044) 268-29-70.

Comments and proposals concerning draft national standards of Ukraine in the field of construction materials shall be directed to:

The State Committee of Ukraine on Urban Development and Architectural Affairs

Ukraine, Kiev, 252133, Lesya Ukrainka Boulevard 26
Telephone (044) 226-23-78
Fax (044) 226-34-68.

(e) **the scope or responsibility of the central government authorities in the area of notification requirements foreseen in Article 10:11 of the agreement and of individual government authorities, if the responsibility is divided among two or more such authorities;**

Derzhstandart of Ukraine is the sole governmental authority responsible for implementation on a national level of provisions relating to notifications in accordance with the Agreement.

(f) **measures and arrangements to ensure that national and sub-national authorities preparing new technical regulations or substantial amendments to existing ones, provide early information on their proposals.**

Derzhstandart is the central authority of the State executive branch which determines the goals and principles of administration and rules for implementation of standardization, metrology and conformity assessment (certification). All work in the area of technical regulations, standards development, and amendments to existing standards is accomplished by three national technical committees on standardization on the basis of annual standardization plans prepared, adopted and supervised by Derzhstandart with the participation of all interested parties.

The Cabinet of Ministers of Ukraine has established an Interdepartmental Council on Standardization, Metrology and Certification, to coordinated work on the State, regional and local levels, and to ensure the conformity and uniformity of each regions' s actions. Among the responsibilities of this interdepartmental council is the assurance of uniformity of all standardization measures.

The "Provision on National Information Centre on Standardization and Certification" (Information Centre GATT/WTO) adopted by the government of Ukraine, requires all authorities involved in the preparation of new technical regulations and substantial amendments to existing regulations to provide prior information on their plans as required by the Agreement.

In addition, the State system for standardization of Ukraine provides for State registration of all national standards of Ukraine, sector standards (operating in specific industrial sectors), scientific and technological organization standards (voluntary standards developed by technical organizations) and technical regulations of Ukraine (operating within specific enterprises, including private one). Standards, technical regulations and their amendments that have not been registered by Derzhstandart of Ukraine are not valid. Registered standards are listed in the State register.