

IMPLEMENTATION OF APEC'S GENERAL TRANSPARENCY STANDARDS

**AREAS: i) TRADE AND INVESTMENT LIBERALIZATION AND FACILITATION
ii) MONETARY, FINANCIAL AND FISCAL POLICIES AND THE DISSEMINATION OF MACROECONOMIC POLICY DATA**

ECONOMY: **RUSSIA** (the Russian Federation)

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KEY TRANSPARENCY PROVISIONS	STATUS OF IMPLEMENTATION (PROVIDE DETAILS)	FURTHER ACTIONS PLANNED TO COMPLETE IMPLEMENTATION (INDICATE TIMEFRAME)	CAPACITY BUILDING NEEDS TO COMPLETE IMPLEMENTATION
<p>Transparency in Trade and Investment Liberalization and Facilitation</p> <p><u>General Principles</u></p> <p>1. (a) Each Economy will ensure that its laws, regulations, and progressively, procedures and administrative rulings of general application respecting matters in Section C of Part One of the Osaka Action Agenda are promptly published or otherwise made available, for example via the Internet, in such a manner as to enable interested persons and other Economies to become acquainted with them.</p>	<p>Fully Implemented.</p> <p>All acts of the Russia's President and the RF Government are subject to official publication before they came into effect. Regulatory legal acts of all the federal bodies authorized are subject also to state registration with the Ministry of Justice become enforceable only after they have been registered and officially published. So Article 5.3 of the RF Constitution establishes that laws and other regulatory acts are subject to official publication. This provision was developed in Federal Law No. 5-FZ of 1994 "On the Procedures for Publishing and Entering into Force of Federal Constitutional Laws, Federal Laws, and Acts passed by the Chambers of the Federal Assembly";</p>	<p>The draft of Federal Law "Providing of Access to Information on Activity of State Executive Bodies and Local Executive Bodies" will be reviewed by the State <i>Duma</i> in the second reading in 2007.</p> <p>In addition, Russia plans to elaborate on measures to improve access to customs regulations and other subsidiary legislations, and reaffirms its intention to contribute to the APEC program of collective actions on information gathering and analysis.</p>	<p>To improve quality of state laws and regulations disclosure.</p> <p>To create the Internet-sites using foreign languages (e.g. English language).</p>

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<p>(b) Each Economy will have or designate an official journal or journals and publish any measures referred to in paragraph 1 in such journals. Each Economy will publish such journals on a regular basis and make copies of them readily available to the public.</p>	<p>and Presidential Decree No. 763 of May 1996 "On the Procedures for Publication and Entering into Force of the Acts of the President of the Russian Federation, the Government of the Russian Federation and the Normative Legal Acts of the Federal Executive Bodies".</p> <p>In accordance with Federal Law No. 164 of 8 December 2003 "On Fundamentals of State Regulation of Foreign Trade Activity" (Article 16), new Customs Code No. 61-FZ of 28 May 2003 (Article 24) and Government Resolution No. 98 of 12 February 2003 "On Access to Information on Activities of the Government of the Russian Federation and Federal Executive Bodies", all federal executive bodies were required to ensure public access to information with regard to laws, Presidential decrees, government resolutions, as well as their own regulations, orders, rules, instructions, recommendations, letters, telegrams, teletype messages, etc., having an impact on trade, including by placing this information on the Internet.</p> <p>Fully Implemented.</p> <p>According to Federal Law No. 5-FZ, the date of publication of a federal constitutional law, federal law or act passed by the Chambers of the Federal Assembly should be the date of the first publication of their full text in the "<i>Parlamentskaya Gazeta</i>" (Russian Parliament's Newspaper), "<i>Rossiyskaya Gazeta</i>" (Russian News</p>	<p>Same as above.</p>	<p>Same as above.</p>

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	<p><i>Daily</i>) or in the digest "<i>Sobraniye Zakonodatelstva Rossijskoj Federatsii</i>" (<i>Code of Laws of the Russian Federation</i>). In accordance with Presidential Decree No. 763, acts of the President of the Russian Federation and of the Government are subject to official publication in the "<i>Rossiyskaya Gazeta</i>" and in the digest "<i>Sobraniye Zakonodatelstva Rossijskoj Federatsii</i>" within ten (10) days after their signing.</p> <p>Moreover, in accordance with paragraph 8 of Presidential Decree No. 763, regulatory legal acts of federal executive bodies related to human rights, freedom and duties or establishing the legal status of organizations or acts of inter-departmental nature are subject to official publication in the "<i>Rossiyskaya Gazeta</i>" within three (3) days of their registration, and in the "Bulletin of Normative Acts of the Federal Bodies of Executive Power" published by the publishing house "<i>Yuridicheskaya (or Juridical) Literatura</i>".</p> <p>Distribution of the acts of the President and the Government in a machine-readable form by the scientific and technical centre of legal information "<i>Systema</i>" is also deemed to constitute an official publication. The Bulletin of the executive power normative acts is also distributed in a machine-readable form by "<i>Systema</i>".</p> <p>For further information, please visit:</p>		

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<p>(c) An Economy may comply with subparagraph (b) by publication on the Internet.</p>	<p>http://www.rg.ru/documents.html, http://www.systema.ru (both in Russian)</p> <p>Fully Implemented. Federal constitutional laws, federal laws and acts of the Chambers are also published in other press sources and brought to general knowledge through media and Internet, distributed to state authorities, officials, enterprises, establishments and organizations, transmitted via communication channels or distributed in machine-readable formats.</p> <p>Though Federal Law No. 128-FZ of 8 August 2001 "On Licensing of Specific Types of Activity" (as amended in June 2007) does not cover a certain range of activities, including communications, production and sale of alcohol, etc., specific requirements on transparency, including criteria and time limits for decisions on licensing and licensing authorities, and requirements for written notification of decisions, are stipulated in the special state laws regulating those types of activity. Ministries responsible for its have regularly disclosed the applied laws and new draft legislation at their own Internet web-sites for public domain.</p> <p>For example, regular monitoring of administrative barriers to business development in Russia is carried out by the Russian Centre for Economic and Financial Research (CEFIR):</p>	<p>Same as above.</p>	<p>Same as above.</p>

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	<p>www.cefir.ru.</p> <p>All regulatory legal acts related to sanitary measures have to be published in official editions: <i>Rossiyskaya Gazette</i>, the Bulletin of regulatory acts of Federal Executive Authorities of the Administration of the President of the Russian Federation; the Bulletin of regulatory documents and guidelines of Gossanepidnadzor of the Ministry of Health and Social Development of the Russian Federation; and various specialized scientific journals and manuals (<i>Nutrition Care, Health Care at Workplace, Radiation Hygienics, Toxicology Newsletter</i>, etc.). Draft sanitary rules are published in the Newsletter of the Russian Enquiry Point and specialized journals. New legislation and regulations concerning veterinary measures after approval are published in the journals "Veterinary Science and Practice", "Veterinary Newspaper", the newspaper "Veterinary Consultant", and other special publications.</p> <p>An official "Newsletter (Vestnik) of Technical Regulation" contains all notifications concerning the development and end of public discussions on technical regulations, reports of expert commissions on technical regulations, draft legislative acts, and other regulatory legal documents in the area of technical regulation. A specialized single Information Center (<i>enquiry point</i>) for</p>		

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<p>(d) Each Economy will promote observance of the provisions of this paragraph by the regional and local governments and authorities within its customs territory.</p>	<p>TBT/SPS (WTO RIC (SPS/TBT)) ensuring transparency of veterinary, sanitary, and phytosanitary measures and providing access to relevant documentation has been set up and is functioning: http://www.ricwto.ru.</p> <p>For further information, please visit: http://www.kremlin.ru (in Russian and English), http://www.duma.gov.ru, http://www.duma.ru (both in Russian), http://www.government.ru and http://www.minjust.ru (both in Russian and English)</p> <p>Wide range of legal information can be found at websites: http://www.consultant.ru/sys/english/, http://www.garant.ru/nav.php?pid=286&ssid=89&mv=1, http://www.kodeks.net/win/rus.htm and http://www.kodeks.ru (both in Russian only)</p> <p>Fully Implemented. The Russian legal system is comprised of federal legal acts and legal acts of the subjects (regions) of the Russian Federation (sub-federal and regional governments). The federal legal system consists of the Constitution; federal constitutional laws; federal laws; decrees and resolutions of the President of the Russian Federation; resolutions and orders of the Government of the Russian Federation; and acts of federal executive authorities. Acts of federal executive authorities (i.e. acts</p>	<p>Same as above.</p>	<p>Same as above.</p>

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	<p>whose binding effect extended to all of the territory of the Russian Federation) include resolutions, orders, rules, instructions, regulations and decisions. This list is exhaustive. Recommendations, letters, telegrams, teletype messages are not regulatory legal acts (Order No. 217 of the Ministry of Justice of 14 July 1999). Such acts have a recommendatory character only.</p> <p>The legal system of the subjects of the Russian Federation consists of their respective constitutions (in the case of Republics,) or charters (in the case of other subjects of the Russian Federation); laws and other legal acts. The Constitution has overriding power and is applicable throughout the entire territory of the Russian Federation.</p> <p>All federal legal acts and legal acts of the subjects of the Russian Federation are to be in conformity with the Constitution. Federal constitutional laws regulate matters directly provided for under the Constitution of the Russian Federation.</p> <p>Federal laws regulate areas of joint competence between the Russian Federation and its regions. The Constitution reserves certain subject matters to the exclusive jurisdiction of the Russian Federation and others to the joint jurisdiction of the Russian Federation and its subjects (Article 72).</p>		

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	<p>Government resolutions and orders (subsidiary legislation) are issued pursuant to and in furtherance of the Constitution, federal constitutional laws, federal laws and Presidential decrees and resolutions. The requirement for such resolutions and orders are, as a general rule, provided for in the relevant enabling law, decree or resolution. Those legislative acts are also binding throughout the entire territory of the Russian Federation.</p> <p>Acts of federal executive authorities are issued on the basis of and in furtherance of federal laws, presidential decrees and resolutions, and Government resolutions and orders. Those acts should be in compliance with the relevant enabling provisions. They have an auxiliary and detailing function.</p> <p>The RF Ministry of Justice, through its 86 territorial representations, maintains a <i>register</i> which now encompasses more than 190000 laws and regulations effective in the Russia's subjects (regions). In accordance with the RF Constitution, it itself and federal laws have supremacy over the whole territory of the Russian Federation. The bodies of state authority, the bodies of local self-government, officials, private citizens and their associations are required to observe the Russia's Constitution and its laws.</p>		

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	<p>Federal Law No. 101-FZ of July 1995 "On International Treaties of the Russian Federation" contains rules ensuring the execution of the Russia's international treaties by the RF President and the Government, federal executive bodies, bodies of state authority of the relevant subjects (regions) of Russia.</p> <p>All legal acts enacted by the subjects of the Russian Federation are to be notified to the Federal Ministry of Justice of the Russian Federation within 7 days of enactment for scrutiny and review. If the legislation is found to be inconsistent with federal laws, the Legislative Department of the Ministry of Justice can draft a Presidential decree suspending the operation of the legislation, or seek an order from the RF Constitutional Court together with proposals for reconciling or rectifying the conflict. Acts or parts thereof determined by the Court to contravene the Constitution become invalid.</p> <p>For further information, please visit: http://dostup.minjust.ru/seach.asp, in Russian).</p> <p>Also, please visit: www.kremlin.ru/eng/ (in English), http://www.gov.ru/index.html, http://www.gov.ru/main/regions/regioni-44.html (both in Russian) and http://www.minjust.ru (in Russian and English).</p>		

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<p>2. When possible, each Economy will:</p> <p>(a) publish in advance any measure referred to in paragraph 1 that it proposes to adopt; and</p> <p>(b) provide where applicable interested persons a reasonable opportunity to comment on such proposed measures.</p>	<p>Fully Implemented. A great deal of draft legislation is made available on various governmental and parliamentary websites (e.g. <i>Gosduma - the lower house or the RF Parliament</i> - from the time it was formally proposed to <i>Gosduma</i>).</p> <p>For further information, please visit: http://www.kremlin.ru (in Russian and English), http://www.duma.gov.ru, http://www.duma.ru (both in Russian), http://www.government.ru and http://www.minjust.ru (both in Russian and English)</p> <p>Wide range of legal information can be found at websites: http://www.consultant.ru/sys/english/, http://www.garant.ru/nav.php?pid=286&ssid=89&mv=1, http://www.kodeks.net/win/rus.htm and http://www.kodeks.ru (both in Russian only)</p> <p>Implemented. Such opportunity is widely implemented by the state authorities to drafting new laws and regulation (e.g. new technical regulation, etc.)</p>	<p>The draft of Federal Law "<i>Providing of Access to Information on Activity of State Executive Bodies and Local Executive Bodies</i>" will be reviewed by the State Duma in the second reading in 2007.</p> <p>Same as above.</p>	<p>To provide disclosure of any measure in advance using foreign languages (e.g. English language).</p> <p>Same as above.</p>
<p>3. Upon request from an interested person or another Economy, an Economy will endeavor to promptly provide information and respond to questions pertaining to any actual or</p>	<p>Implemented. All acts of the RF Government are subject to official publication before</p>		

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proposed measure referred to in paragraph 1.	they came into effect. Please, refer to the answer to Q. 2 (b) as above also.		
<p>4. Each Economy will ensure in its administrative proceedings applying any measure referred to in paragraph 1 that:</p> <p>(a) wherever possible, persons of another Economy that are directly affected by a proceeding are provided reasonable notice, in accordance with domestic procedures, when a proceeding is initiated, including a description of the nature of the proceeding, a statement of the legal authority under which the proceeding is initiated and a general description of any issues in controversy;</p> <p>(b) such persons are afforded a reasonable opportunity to present facts and arguments in support of their positions prior to any final administrative action, when time, the nature of the proceeding and the public interest permit; and</p> <p>(c) its procedures are in accordance with domestic law.</p>	<p>Implemented.</p> <p>The Russia's legislative acts are binding throughout the entire territory of Russia and may be appealed in court.</p> <p>In accordance with Federal Law No. 164 of December, 2003 "On Fundamentals of State Regulation of Foreign Trade Activity" (Article 16), new Customs Code No. 61-FZ of May, 2003 (Article 24) and Government</p>	<p>Greater transparency combined with more effective non-judicial redress for citizens should do much to reduce corruption, particularly in connection with public procurement as well as with fire, sanitation and other inspections.</p>	

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	<p>Resolution No. 98 of February, 2003 "On Access to Information on Activities of the Government of the Russian Federation and Federal Executive Bodies", all federal executive bodies are required to ensure public access to information with regard to laws, Presidential decrees, government resolutions, as well as their own regulations, orders, rules, instructions, recommendations, letters, telegrams, teletype messages, etc., having an impact on human rights and trade, including by placing some part of this information on Internet.</p> <p>Federal Law No. 101-FZ of July 1995 "On International Treaties of the Russian Federation" contains rules ensuring the execution of the Russia's international treaties by the RF President and the Government, federal executive bodies, bodies of state authority of the relevant subjects (regions) of Russia.</p> <p>Judgments, rulings, orders, summons and other lawful communications issued by the courts are binding upon all persons, entities or governmental authorities throughout the whole territory of the Russian Federation.</p> <p>Justice is equal for all. Courts should not favor any agency, person or otherwise complainant based on nationality, sex, race, language, political convictions or any other grounds unless established by federal</p>		

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	laws. Failure to comply with a court judgment, or any other act of contempt of court, is a breach of federal law.		
<p>5. Where warranted, each Economy will ensure that appropriate domestic procedures are in place to enable prompt review and correction of final administrative actions, other than those taken for sensitive prudential reasons, regarding matters covered by these Standards, that:</p> <p>(a) provide for tribunals or panels that are impartial and independent of any office or authority entrusted with administrative enforcement and have no substantial interest in the outcome of the matter;</p> <p>(b) provide parties to any proceeding with a reasonable opportunity to present their respective positions;</p> <p>(c) provide parties to any proceeding with a decision based on the evidence and submissions of record or, where required by domestic law, the record compiled by the administrative authority; and</p> <p>(d) ensure, subject to appeal or further review under domestic law, that such decisions are implemented by, and govern the practice of, the offices or authorities regarding the administrative action at issue.</p>	<p>Implemented (from (a) to (d)).</p> <p>Any decision by the state authorities, local administrations, community associations or officials can be appealed to a court with respective jurisdiction. In the case of appeals against administrative action or inaction, at the discretion of the appellant, an appeal can also be addressed to either the Government or a Government agency controlling body responsible for the decision. Appeals against the decision of a lower court are also possible. The person aggrieved by the decision can decide himself whether to pursue an administrative review or court procedures.</p> <p>The rules of civil procedure in federal courts of general jurisdiction were set out in the Civil Procedure Code of the Russian Federation No. 138-FZ of November 2002 (as amended on February 2004).</p>		

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	<p>Procedures for the settlement of disputes by arbitration courts are set out in the Arbitration Procedure Code of the Russian Federation No. 95-FZ of July 2002 (as amended on July 2004).</p> <p>Article 45 of the Customs Code provides that any person could lodge an appeal against a decision of the customs authorities of the Russian Federation and their officers, if such person (i) reasonably believed that their rights and lawful interests had been infringed, and (ii) where the conduct at issue affected such person directly and personally. The procedure for appeals in respect of decisions, action (inaction) of the customs authorities and their officers was stipulated in Chapter 7 of the Customs Code and applied to any decisions, action (inaction) of the customs authorities and their officers. Under the Customs Code appeals are to be lodged with the superior customs authority directly or through the customs authority whose decision, action (inaction) was appealed against. Appeals against decisions, action (inaction) of federal executive bodies competent for customs-related matters are to be lodged with that federal executive body. Appeals can be lodged writing to a court simultaneously or consecutively to an administrative procedure. They can be lodged within 3 months from the date the appellant knew that his rights and</p>		

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	<p>lawful interests had been infringed or from the date of implementation of the decision taken by the customs authority or its officers. Appeals are to be processed by the customs authority within one month from the date of lodging the appeal. However, if necessary, the period for processing can be extended by the head of the customs authority for up to one month. Appeals lodged against decisions, action (inaction) taken by a customs officer or a customs checkpoint concerning shipment of goods through the border, which did not exceed RUR 1,5 mln in value and (or) one vehicle, can be processed in a simplified appeal procedure with immediate ruling. The simplified appeal procedure does not preclude the appellant lodging an appeal via the normal procedure. Appeal decisions issued by the customs authority can be appealed against to the superior customs authority or court, or arbitration court. Pursuant to Article 46 of the Customs Code, the appeal mechanism envisaged by the Customs Code does not include decisions in respect of the amended Code of Administrative Offences No.195-FZ of December 2001. Administrative appeal procedures are similar to those envisaged by the Customs Code, except under the Code of Administrative Offences, appeals can be lodged within 10 days after receipt of a copy of the decision appealed against and require to be processed within 10 days from the</p>		

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	<p>date of lodging the appeal.</p> <p>The procedure for appealing against decisions of tax bodies and actions or omissions of their officers is regulated by the RF Tax Code. Decisions issued by tax bodies, as well as actions and omissions by their officers, can be appealed to a supervising officer or a court, either simultaneously or consecutively. An appeal is required to be determined within one month from the date of lodging the appeal. The tax body is to take a decision within one month, and the decision on the appeal is required to be notified to the person lodging the appeal within 3 days after the decision was taken.</p> <p>Fees for appeals submitted to courts are set out in Federal Law No. 2005-1 of December 1991 "On State Duties".</p> <p>As regards appeals and complaints in the sphere of technical regulation, pursuant to Federal Law No. 184-FZ of "On Technical Regulation" refusal to register a voluntary certification can be appealed in a judicial procedure. With regard to mandatory conformity certification, an applicant can lodge a complaint with the authority on accreditation against unlawful actions of certification authorities and accredited testing laboratories (centers). Refer to the RF Federal Agency for Technical Regulations and Metrology (<i>Rostekhnadzor of Russia</i>) web-site: http://www.gost.ru/sls/gost.nsf/PVP/C</p>		

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	<p>A5400452C7991BEC32566DA004601FA?OpenDocument&ALT (in English), http://www.gost.ru, and http://www.rupto.ru (all in Russian and English).</p> <p>There are Internet-sites of Rospatent (http://www.rupto.ru) and the Federal Institute of Industrial Property (<i>FIPS</i>) on technical regulation (http://www.fips.ru/ruptoen/index.htm) in English, including legislature: access to databases (freeware) for both internal and outside users, contain information on statutory acts on the field of IPRs in Russia.</p>		
<p>Transparency in Monetary, Financial and Fiscal Policies and the Dissemination of Macroeconomic Policy Data</p> <p>9. Prior to our agreement in the Shanghai Accord to implement APEC transparency principles, we agreed in Brunei Darussalam in 2000 to support the key standards identified by the Financial Stability Forum. Three of these key standards focus on transparency:</p> <p>(a) Code of Good Practices on Transparency in Monetary and Financial Policies: Declaration of Principles;</p>	<p>Implemented.</p> <p>The Russia's central and local government arrangements are built on the premise of transparency.</p> <p>From 2007 the RF Government has begun to publish 3-year economic and fiscal forecasts. Each governmental bodies (federal ministries, services and agencies), and state-owned enterprises must also provide an annual statement of its intended performance over the next year, and an annual report for the past year. The RF Ministry of Economic Development and Trade (<i>MEDT of Russia</i>) has published and discloses for public domain (also on it Internet-site:</p>		

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<p>(b) Code of Good Practices on Fiscal Transparency; and</p>	<p>http://www.economy.gov.ru) the monthly reports on socio-economic development of Russia, as well as forecasts for 3 next years ahead.</p> <p>One recent development has been a requirement for MEDT of Russia together with the RF Ministry of Finance and other state power, to prepare a statement of the government's long-term economic strategy looking 20 years ahead.</p> <p>Economic Expert Group (http://www.eeg.ru) was established in 1994 to render analytical support to the Department of Macroeconomic Policy of the RF Ministry of Finance as well as to MEDT of Russia. At its website everybody can find the comprehensive information and consulting services on economic and financial policy on federal and regional levels.</p> <p>In April 2002 a new Code of Corporate Governance based on the OECD principles of such governance was developed. Although compliance with the Code is not a legal requirement, it provides a clear set of benchmarks for Russian business to follow.</p> <p>Pursuant to the yearly updated Monetary Policy Guidelines its ultimate aim is the reduction of inflation. The Central Bank of Russia (CBR) has developed a monetary program with the objective to monitor monetary indicators on its compliance</p>		

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(c) General and Special Data Dissemination Standards.	<p>with the projected inflation level. The Monetary Policy Guidelines could be found on the CBR's site (http://www.cbr.ru/eng/).</p> <p>The RF Ministry of Finance, Central Bank and the Federal State Statistics Service have produced the Russia's National Summary Data Page and now collect, upload and disclose for public domain the official data correspondent to the data described in the IMF's Dissemination Standards Bulletin Board (DSBB): http://www1.minfinru/sdds/nsdp.htm, http://www1.minfin.ru/sdds.htm.</p>		
<p>10. Following APEC Finance Ministers' decision to support the assessment of Economies' implementation of these transparency codes through the IMF-led Reports on the Observance of Standards and Codes (ROSCs), Economies are encouraged to participate fully in the ROSC program. As voluntary disclosure of ROSC modules promotes transparency, Economies should, where practicable, disclose the results of these assessments.</p>	<p>For further information, please visit: http://minfin.rinet.ru (an official Internet site of the RF Ministry of Finance, partially – in English).</p> <p>The Russian Federation is a full member of FATF and the Council of Europe Select Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL) also.</p>		

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<p>Confidential Information</p> <p>11. The provisions of this Statement will not require any Economy to disclose confidential information where such disclosure would impede law enforcement, the enactment of laws, or otherwise be contrary to the public interest or would prejudice the legitimate commercial interests of particular persons or enterprises.</p>	<p>Fully Implemented.</p> <p>Federal Law No. 149-FZ of July 2006, "On Information, Information Technologies and Protection of Information" has been adopted and taken into force.</p> <p>The RF Code on Administrative Offences provides for administrative responsibility (in form of fine) for offences in the field of information, including responsibility for disclosure of information, the access to which is limited by federal law (except for cases when the disclosure of such information involves criminal liability), by persons who have received access to such information in connection with performance of a service or professional duties (Article 13.14 of the Code).</p> <p>The Criminal Code establishes criminal punishment for illegal receipt and disclosure of information containing commercial secrets.</p> <p>Federal Law No. 98-FZ of July 2004 "On Commercial Secrets" regulates the protection of commercial secrets, ascription of information to commercial secrets, transfer of such information, and protection of its confidentiality.</p> <p>Apart from the above mentioned normative legal acts, Russian</p>		

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	<p>legislation contains a number of normative legal acts which regulated and determined the mechanism for ensuring <i>protection of undisclosed information</i>, namely Federal Law No. 24-FZ of February 1995 "On Information, Providing and Protecting Information" (as amended in 2003), Law of the Russian Federation No. 5351-1 of July 1993 "On Copyright and Related Rights" (as last amended on July 2004), Patent Law of the Russian Federation No. 3517-1 of 23 September 1992 (amended on February 2003), as well as a number of regulations, in particular President Decree No. 188 of March 1997 "On Approving a List of Confidential Data".</p> <p>President Decree No. 188 as of March 6, 1997, established the list of data of confidential character. This list included: (i) secret of private (individual) life (information on the facts, events and circumstances of private (individual) life of a citizen allowing the identification of his personal identity (personal data), except for the information subject to dissemination in mass media in cases envisaged by federal laws; (ii) information related to professional activity with limited availability according to the Constitution of the Russian Federation and federal laws (medical, notary, lawyer secrecy, secrecy of correspondence, telephone conversations, mail, telegraph and other messages, etc.); (iii) service secrets; (iv) commercial secrets; and</p>		

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	<p>(v) information on the contents of inventions, utility models and industrial designs prior to the official publication of information about them. The protection of such information is guaranteed by application of the civil, labor, administrative and criminal legislation.</p> <p>Different kinds of liability (administrative, criminal, etc.) can be applied to state officials having disclosed such information.</p> <p>So the RF Code on Administrative Offences provides for administrative responsibility (in form of fine) for offences in the field of information, including responsibility for disclosure of information, the access to which is limited by federal law (except for cases when the disclosure of such information involves criminal liability), by persons who have received access to such information in connection with performance of a service or professional duties (Article 13.14 of AOC).</p> <p>Article 183 of the Criminal Code establishes criminal punishment for illegal receipt and disclosure of information containing commercial secrets.</p> <p>Article 13 of the Commercial Secrets Law requires federal and municipal authorities to create conditions guaranteeing protection of confidentiality of information provided to them by juridical persons and</p>		

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	<p>individual entrepreneurs. Federal and municipal authorities' officials cannot disclose, transfer to third persons or other federal and municipal authorities or take personal advantage of information containing a commercial secret that has become known to them in the course of their duties, while providing services, without permission of the holder. In case of violation of confidentiality of information, federal and municipal authorities' officials are subject to disciplinary, civil, administrative and criminal liability in accordance with Russian legislation.</p>		

IMPLEMENTATION OF APEC'S GENERAL TRANSPARENCY STANDARDS

AREAS: i) TRADE AND INVESTMENT LIBERALIZATION AND FACILITATION
ii) MONETARY, FINANCIAL AND FISCAL POLICIES AND THE DISSEMINATION OF
MACROECONOMIC POLICY DATA

POSSIBLE ASSISTANCE AND EXPERIENCE TO OFFER

Economy: RUSSIA

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Economies with particular expertise and resources to offer could indicate this here and/or refer to relevant websites.

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