

Article 6

1. Contracting Parties will apply measures to converge levels of customs duties, which are imposed in trade with third countries, and for this purpose will hold regular consultations.
2. Contracting Parties will inform each other of all exceptions from the existing in its states rules on customs tariffs.

Article 7

Contracting Parties shall recognize incompatible with the purposes of this Agreement unfair business practices, which are expressed, in particular, in the following:

concluding agreements between enterprises, its divisions, which purpose is to prevent or limit competition or violate conditions for it on the territories of Contracting Parties;

performing actions, by which means one or several enterprises use their dominant position, limiting competition within the entire or considerable part of the territory of Contracting Parties.

Article 8

At applying measures of tariff and non-tariff regulation in bilateral economic relationships, for statistical information exchange, for carrying out customs procedures, Contracting Parties have agreed to use the unified nine-digit Commodity Nomenclature of Foreign Economic Activity (CN FEA), based upon the Harmonized Commodity Description and Coding System and Combined Tariffs and Statistics Nomenclature of the European Economic Community. At the same time for the own needs of its states Contracting Parties exercise the development of Commodity Nomenclature beyond the nine digits if necessary.

Conduct of the standard specimen of the Commodity Nomenclature is carried out by the Russian Federation through the existing representations in relevant international organizations during the period of time, until Turkmenistan declares its independent conduct of such standard specimen.

Article 9

Contracting Parties agree that compliance with the principle of freedom of transit is the major condition for achieving goals of this Agreement and a substantial element in the process of its integration to the system of international specialization of labour and cooperation.

Thereupon each Contracting Party shall provide unimpeded transit through its territory for goods originating from the customs territory of the other Contracting Party and/or third countries and destined for the customs territory of the other Contracting Party or any third country, and shall provide exporters, importers and carriers with all available and necessary for ensuring transit facilities and services on terms not worse than these facilities and services are granted to national exporters, importers or carriers, or exporters, importers or carriers of any other third state.

Transit tariffs for all types of transportation, including tariffs for loading and unloading operations, shall be economically justified and shall not exceed normal operational expenses, including reasonable profit rates. Contracting Parties shall not request payment for warehousing, reloading, storage and transportation of goods in currency of any third state.

Article 10

Nothing in this Agreement shall prevent any of the Contracting Parties to take measures, which it considers necessary for protecting its vital interests or which undoubtedly are necessary

for compliance with international agreements, which it is or intends to become parties to, if these measures relate to:

- information affecting the interests of national security;
- trade in arms, ammunitions and military equipment;
- research or production related to security needs;
- supply of materials and equipment used in nuclear industry;
- protection of public morality, public order;
- protection of industrial and intellectual property;
- gold, silver and other precious metals and stones;
- protection of human, animal and plant life.

Article 11

Provisions of this Agreement shall replace the provisions of agreements concluded earlier between Contracting Parties insofar as the latter are either incompatible with the former or identical to it. Contracting Parties shall instruct its competent authorities to prepare an appropriate protocol on this matter.

Article 12

This Agreement shall not affect other Agreements, concluded earlier by Contracting Parties with third countries.

Article 13

Nothing in this Agreement shall prevent Contracting Parties from establishing relationships, which do not contradict goals and terms of this Agreement, with third countries, as well as with its associations and international organizations.

Article 14

Disputes between Contracting Parties, which are related to interpretation or application of provisions of this Agreement, shall be settled by means of negotiations.

Article 15

To achieve the goals of this Agreement and to elaborate recommendations for improvement of trade-economic cooperation between the two countries, Contracting Parties have agreed to establish a joint Russian-Turkmenistan commission.

Article 16

Contracting Parties have agreed that the Russian Federation may establish its trade representation in Turkmenistan, and Turkmenistan may establish its trade representation in the Russian Federation. The legal status of trade representations, its functions and residence shall be formulated in a separate agreement.

Article 17

Any state may accede to this Agreement on terms, which will be agreed between the acceding state and Contracting Parties.