

Article 4

Each of the Contracting Parties shall not permit the reexport of commodities, relative to the export of which the Party from whose customs territory these commodities originate applies measures of tariff and/or nontariff regulation. The Contracting parties shall identify the list of commodities prohibited from reexport, and also exchange the lists of commodities to which are applied the measures of tariff and nontariff regulation.

Such commodities may be reexported only by a written consent and on the terms set by the authorized agency of the country of origin of the said commodities. In case of failure to comply with this provision, the Contracting Party whose interests have been affected shall be entitled to unilaterally take measures on regulating the export of such commodities to the territory of the other Party that permitted the unsanctioned reexport, after preliminary notification about the intention to introduce such measures and joint consultations. In this case the currency earnings from such reexport shall be returned to the country of origin of the corresponding commodities.

For the purposes of this Article, reexport shall mean the removal of commodities from the customs territory of one of the Contracting Parties by another Contracting Party beyond its customs territory in order to export them to a third country.

Article 5

The Contracting Parties shall on a regular basis exchange principal information about customs issues, all available customs statistics included. Corresponding authorized agencies of the Contracting Parties shall conciliate the procedure for exchanging such information.

Article 6

1. The Contracting Parties shall strive to approximate the customs rates that are used in the trade with third countries, for which purpose regular consultations shall be held.

Article 7

The Contracting Parties recognize the incompatibility with the purposes of the present Agreement of the unfair business practices manifested, in particular, in the following:

- agreements between enterprises, decisions made by associations of enterprises that aim to hinder or restrict competition or violate the terms for it on the territories of the Contracting Parties;
- actions by which one or several enterprises use their dominating status, restricting competition on the entire and/or a substantial part of the territories of the Contracting Parties.

Article 8

When effecting measures of tariff and nontariff regulation of bilateral economic relations, for the exchange of statistical information and for conducting customs procedures, the Contracting Parties have agreed to use the uniform nine-digit classification of foreign trade commodities (CFTC) based on the Harmonized System of Description and Coding of Commodities and the combined tariff-statistical classification of the European Union. For their own needs the Contracting Parties shall, when necessary, develop the commodity classification beyond the nine-digit limit.

Article 9

The Contracting Parties agree that abidance by the principle of free transit is a most important condition for achieving the purposes of the present Agreement and an essential element in the process of their linkup with the system of international division of labor and cooperation.

In this connection, each Contracting Party shall ensure unhindered transit through its territory of commodities originated from the customs territory of another Contracting Party and/or third countries and intended for the customs territory of the other Contracting Party or any third country, and provide to exporters, importers or carriers all the available and required facilities and services for transit on terms that are not worse than those on which the very same facilities and services are provided to their own exporters, importers or carriers of any third country.

The transit tariffs for any type of transport, including tariffs of loading and unloading, shall be economically justified and not exceed the normal operational expenses, the reasonable profit rates included.

Article 10

Nothing in the present Agreement shall hinder any of the Contracting Parties to take measures it considers necessary for the protection of its vital interests or which are undoubtedly necessary for the performance of the international treaties to which it is a party or intends to be a party, if these measures concern the following:

- information that affects the interest of national defense;
- trade in weapons, ammunition and materiel;
- research or production related to the needs of defense;
- delivery of material and equipment used in the nuclear industry;
- protection of public morals and public order;
- protection of industrial or intellectual property;
- gold, silver or other precious metals and stones;
- protection of the health of people, animals and plants.

Article 11

The provisions of the present Agreement shall replace the provisions of the agreements concluded earlier between the Contracting Parties insofar as the latter are either incompatible with the first or identical to them.

Article 12

The present Agreement does not affect the validity of the agreements the Contracting Parties concluded with third countries.

Article 13

Nothing in the present Agreement shall hinder the Contracting Parties from maintaining relations with third countries, which does not contradict the purposes and terms of the present Agreement, as well as with their associations and international organizations.

Article 14

Disputes between the Contracting Parties as to the interpretation or application of provisions of the present Agreement shall be settled through negotiations. For achieving agreement, the Parties shall take guidance from the provisions of the present Agreement and the documents concluded on its basis.

Article 15