

Protocol
to the Free Trade Agreement between the Government of Ukraine
and the Government of the Russian Federation
of June 24, 1993

Date of signing: June 24, 1993

Effective date: June 24, 1993

*With amendments and additions,
introduced by the Protocol of October 4, 2001*

The authorized representatives of Ukraine and the Russian Federation have drawn up the present Protocol as follows:

Article 1

The exceptions stipulated in Article 1 of the Free Trade Agreement between the Government of Ukraine and the Government of the Russian Federation of June 24, 1993 shall apply to the following:

1. Commodities within the purview of Russian legislation on export tariffs as well as legislation on licensing and allocation of exports (goods, works, services) – effective at the moment of customs declaration of commodities – during their export from the Russian Federation to Ukraine (in effect at the date of signing the present Protocol is a list of commodities drawn up on the basis of the Government of the Russian Federation Regulation No.461 of June 30, 1992; the list of commodities subject to licensing and allocation, as established by Government of the Russian Federation Regulation No.854 of November 6, 1992).

2. Commodities within the purview of Russian legislation on export tariffs as well as legislation on licensing and allocation of exports (goods, works, services) – effective at the moment of customs declaration of the commodities – during their export from the Russian Federation to Ukraine (in effect at the date of signing the present Protocol is a list of commodities drawn up on the basis of the Government of the Russian Federation Regulation No.6-93 of January 12, 1993; the list of commodities subject to licensing and allocation, as established by Government of the Russian Federation Regulation No.854 of November 6, 1992).

The Parties have agreed not to charge in 1993 export duty for commodities included in Annex No.3 to the Agreement between the Government of Ukraine and the Government of the Russian Federation on Trade and Economic Cooperation in 1993 within the limits of the volumes stipulated in the referred to Annex.

The additional reciprocal exemption of commodities from export duties shall be formalized by separate protocols.

3. The commodities imported into the customs territory of the Russian Federation from Ukraine, as specified in Annex No.1, the commodities imported into the customs territory of Ukraine from the Russian Federation, as specified in Annex No.2 to this Protocol, as well as the commodities within the purview of the states Parties' legislation on licensing and allocation of exports (goods, works, services) effective at the moment of customs declaration of the commodities

The Parties shall notify each other about the introduction of exclusions from the regime of free trade of commodities, as specified in annexes No.1 and No.2 to this Protocol, not later than two months prior to their introduction.

(Article 1 supplemented by Item 3 in compliance
with the Protocol of October 4, 2001)

Article 2

1. As to the commodities to which apply the exclusion from the regime of free trade in compliance with Article 1 of this Protocol, the Parties shall grant each other the most favored nation status with regard to the following:

- customs duties, taxes and charges collected during the export and/or import, including the methods of collection of such customs duties, taxes and charges;

(paragraph 2, Item 1, Article 2 with amendments
introduced in compliance with the Protocol of October 4, 2001)

- provisions concerning customs declaration of transit, transportation, warehousing, reloading and other similar services;
- methods of payments and remittance of payments;
- issue of export and/or import licenses;

(paragraph 5, Item 1, Article 2 with amendments
introduced in compliance with the Protocol of October 4, 2001)

- rules concerning the sale, purchase, transportation, distribution and use of commodities on the domestic market.

2. The provisions of Item 1 of this Article shall not apply to:

- advantages granted by any of the Parties to third countries in order to establish a customs union or free trade area, or as a result of the establishment of such a union or area;
- advantages granted to developing countries in compliance with the legislations of the Parties;
- advantages granted to neighboring countries in order to ease border trade.

Article 3

1. This Protocol shall be an inseparable part of the Free Trade Agreement between the Government of Ukraine and the Government of the Russian Federation of June 24, 1993 and come into force simultaneously with the referred to Agreement.

2. Item 2, Article 3 shall be deleted

(in compliance with the Protocol of October 4, 2001)

Made in Kiev on June 24, 1993 in two copies, Ukrainian and Russian languages, both texts are equally authentic.

On behalf of the Government of Ukraine

On behalf of the Government of the Russian Federation

L.Herts

G.Gabunia

(signature)

(signature)

**Protocol
on Introducing Amendments and Additions to the
Free Trade Agreement between the Government of Ukraine
and the Government of the Russian Federation
of June 24, 1993**

Date of signing: November 14, 1997

Effective date: November 14, 1997

The authorized representatives of Ukraine and the Russian Federation have drawn up the present Protocol as follows:

Article 1

The Contracting Parties agreed to establish the exclusion of white sugar (CFTC Code CIS 170199100) from the free trade regime under Article 1 of the Free Trade Agreement between the Government of Ukraine and the Russian Federation Government dated June 24, 1993.

For the specified commodity, which has the origin and comes from the territory of Ukraine to the Russian Federation, the regime is applied in accordance with article 2 of the Protocol to the Free Trade Agreement between the Government of Ukraine and the Government of Russian Federation dated June 24, 1993.

Article 2

The Contracting Parties agreed that the Russian Party will not impose duty on white sugar in 1998, indicated in paragraph 1 of the Protocol, which has origin and comes from Ukrainian territory to the territory of the Russian Federation in the quantity of 600 thousand tons.

Article 3

The Contracting Parties agreed that the signing of this Protocol shall not annul the Protocol to the Free Trade Agreement between the Government of Ukraine and the Russian Federation Government dated June 24, 1993.

This Protocol is integral part of the Free Trade Agreement between the Government of Ukraine and the Government of Russian Federation dated June 24, 1993 and shall enter into force upon signature.

Made in Kiev on November 14, 1997 in two copies, Ukrainian and Russian languages, both texts are equally authentic.

**Protocol
on Introducing Amendments and Additions to the
Protocol on Exclusion from the Regime of Free Trade
to the Free Trade Agreement between the Government of Ukraine
and the Government of the Russian Federation
of June 24, 1993, signed on June 24, 1993**

Date of signing: October 4, 2001

Effective date: November 29, 2001

The Cabinet of Ministers of Ukraine and the Government Russian Federation, hereinafter – the Parties,

taking into account that since the signing of the Free Trade Agreement between the Government of Ukraine and the Government of the Russian Federation of June 24, 1993, hereinafter – the Agreement, and the Protocol of June 24, 1993, hereinafter – the Protocol, structural changes have occurred in the national economies as well as in the legislation of the state Parties on tariff and nontariff regulation of foreign economic activity,

taking guidance from the provisions of the Agreement on the Establishment of the Free Trade Area of April 15, 1994 within the framework of the CIS and the Protocol on Introducing Amendments and Additions to the Agreement on the Establishment of the Free Trade Area of April 15, 1994, signed on April 2, 1999,

have agreed as follows:

Article 1

To introduce to the Protocol to the Agreement the following amendments:

Article 1 shall be supplemented by Item 3 of the following substance:

“3. The commodities imported into the customs territory of the Russian Federation from Ukraine, as specified in Annex No.1, the commodities imported into the customs territory of Ukraine from the Russian Federation, as specified in Annex No.2 to this Protocol, as well as the commodities within the purview of the states Parties’ legislation on licensing and allocation of exports (goods, works, services) effective at the moment of customs declaration of the commodities.

“The Parties shall notify each other about the introduction of exclusions from the regime of free trade of commodities, as specified in annexes No.1 and No.2 to this Protocol, not later than two months prior to their introduction.”

In Item 1, Article 2 of the Protocol to the Agreement the words “during the export; export” shall be replaced by the words “during the export and/or import.”

Item 2, Article 3 shall be deleted.

Article 2

The parties shall within two months hold negotiations and sign the schedules of phased exclusions from the regime of free trade, as presented in annexes No.1 and No.2 to this Protocol.

Article 3

This Protocol shall come into force from the date of the last notification about the Parties having performed the inter-state procedures required for the Agreement to become effective, and shall be an inseparable part of the Free Trade Agreement between the Government of Ukraine and the Government of the Russian Federation of June 24, 1993.

Made at the city of Kyiv on October 4, 2001 in two copies, each in the Ukrainian and Russian languages, both texts being of equal force.

For the Cabinet of Ministers of Ukraine

(signature)

For the Government of the Russian Federation

(signature)

Annex No.1
to the Protocol on Introducing Amendments
and Additions to the Protocol on the Exclusion
from the Regime of Free Trade to the Free Trade
Agreement between the Government of Ukraine and
the Government of the Russian Federation
of June 24, 1993, signed on June 24, 1993,
of October 4, 2001

List
of commodities – which are imported into the customs territory of the Russian Federation
from Ukraine and are subject to exclusion from the regime of free trade in commodities – to
be drawn up under Item 1, Article 1 of the Free Trade Agreement between the Government of
Ukraine and the Government of the Russian Federation
of June 24, 1993

CFTC Code CIS	Name of commodities
1701 99 100 0	White sugar
2207 10 0000	Ethyl alcohol not denatured with content of alcohol in volume not less than 80%
	Ethyl alcohol and denatured alcoholic beverages of any strength
	Ethyl alcohol not denatured with concentration of alcohol in volume not less than 80%, in receptacles of
2208 90 910	- 2 liters and less
2208 90 990	- more than 2 liters
2402	Cigars, cigars with clipped ends, cigarillos, and cigarettes of tobacco and its substitutes

Annex No.2
to the Protocol on Introducing Amendments
and Additions to the Protocol on the Exclusion
from the Regime of Free Trade to the Free Trade
Agreement between the Government of Ukraine and
the Government of the Russian Federation
of June 24, 1993, signed on June 24, 1993,
of October 4, 2001

List
of commodities – which are imported into the customs territory of Ukraine from the Russian Federation and are subject to exclusion from the regime of free trade in commodities – to be drawn up under Item 1, Article 1 of the Free Trade Agreement between the Government of Ukraine and the Government of the Russian Federation of June 24, 1993

CFTC Code CIS	Name of commodities
1701 99 100 0	White sugar
2207 10 0000	Confectionery of sugar (with white chocolate included), not containing cocoa:
1704 90 300	- white chocolate;
1704 90 7100	- cooked candies with and without filling;
1704 90 7500	- toffee, caramels and similar sweets;
1704 90 8100	- the same, pressed into tablets
	Chocolate and other food products containing cocoa,
1806 31 000	- with filling;
1806 32 900	- without filling
1905 30 1900	Sweet cookies, waffles
2402	Cigars, cigars with clipped ends, cigarillos, and cigarettes of tobacco and its substitutes

PROTOCOL
on the concordance of terms of stage-by-stage abolition of exceptions from the
regime of free trade to Protocol dated October 4, 2001 on introducing of
amendments and additions to Protocol on the exceptions from the regime of
free trade of Free Trade Agreement between Government of Ukraine and
Government of a Russian Federation dated June 24, 1993, signed June 24,
1993

DATE OF SIGNING: November 25, 2005

DATE OF RATIFICATION: January 28, 2006

DATE OF ENTRY IN FORCE: February 2, 2006

Cabinet of Ministers of Ukraine and Government of a Russian Federation, referred to hereinafter as the Contracting Parties,

confirming the favour to subsequent development of bilateral trade and economic cooperation on bases of equality and mutual benefit,

following the provisions of “Free Trade Agreement dated April 15, 1994” and “Protocol on introducing of amendments and additions to Free Trade Agreement dated April 15, 1994, signed April, 2, 1999”, and also “Protocol dated October 4, 2001 on introducing of amendments and additions to Protocol on the exceptions from the regime of free trade to Free Trade Agreement between Government of Ukraine and Government of a Russian Federation dated June 24, 1993, signed June 24, 1993”,

have agreed as follows:

Article 1

Abolition of tariff exceptions from the regime of free trade will be carried out by a Russian Federation in terms in accordance with the graph pursuant to the annex 1 and Ukraine in terms in accordance with the graph pursuant to the annex 2.

Terms of abolition of tariff exceptions from the regime of free trade on white sugar, produced from a sugar beet (CFTC Code CIS - 1701 99 100), alcohol (CFTC Code CIS - 2207 10 00 00, 2207 20 00 00, 2208 90 910 and 2208 90 990) and pastry products (CFTC Code CIS - 1704 90 30 00, 1704 90 71 00, 1704 90 75 00, 1704 90 81 00, 1806 31 00 0, 1806 32 900, 1905 30 19 00) can be modified on the consent of Contracting Parties taking into account the terms of joining of other Party to the World Trade Organization.

Article 2

By mutual written consent of Contracting Parties the amendments can be made to this Protocol and must be processed by separate protocols, which are integral part of this Protocol and shall entry in force in accordance with the article 3 of this Protocol.

Article 3

This Protocol is integral part of Protocol dated October 4, 2001 on introducing of amendments and additions to Protocol on the exception from the regime of free trade to Free Trade Agreement between Government of Ukraine and Government of a Russian Federation dated June 24, 1993, signed June 24, 1993, and shall entry into force from the date of the latest written report on implementation of domestic procedures by Contracting Parties, which are important for the entry into force of the Protocol.

Made in Moscow on November 25, 2005 in two copies, both in Ukrainian and Russian languages, both texts being of equal force.

**For Cabinet of Ministers
Ukraine**

**For Government
A Russian Federation**

Annex 1

to Protocol on the concordance of terms of stage-by-stage abolition of exceptions from the regime of free trade to Protocol dated October 4, 2001 on introducing of amendments and additions to Protocol on the exceptions from the regime of free trade to Free Trade Agreement between Government of Ukraine and Government of a Russian Federation dated June 24, 1993, signed June, 24, 1993

GRAPH

of terms of stage-by-stage abolition of tariff exceptions from the mode of free trade by commodities in accordance with the bill of the goods, plugged in the N 1 addition to Protocol from October, 4, 2001 about bringing of amendments and supplements to Protocol about the exception from the mode of free trade to Agreement between Government of Ukraine and Government of a Russian Federation about free trade from June, 24, 1993, on signed June, 24, 1993

CFTC Code CIS	Name of commodity	Term of abolition of exceptions
1701 99 1000	White Sugar	January, 1, 2009
2207 10 0000	Ethyl alcohol, not denaturated, with content of alcohol in a volume not more than 80 %	January, 1, 2010

2207 20 0000	Ethyl alcohol and denaturated alcohol drinks of various strength	January, 1, 2010
	Ethyl alcohol not denaturated with content of alcohol in volume less 80 % in vessels with capacity:	
2208 90 910	2 liters or less	January, 1, 2010
2208 90 990	more than 2 liters	January, 1, 2010
2402	Cigars, (including cigars with the cut ends), cigarillos (thin cigars) and cigarettes made from tobacco or its substitutes	January, 1, 2006

Annex 2

to Protocol on the concordance of terms of stage-by-stage abolition of exceptions from the regime of free trade to Protocol dated October 4, 2001 on introducing of amendments and additions to Protocol on the exceptions from the regime of free trade to Free Trade Agreement between Government of Ukraine and Government of a Russian Federation dated June 24, 1993, signed June, 24, 1993

GRAPH

of terms of stage-by-stage abolition of tariff exceptions from the mode of free trade by commodities in accordance with the bill of the goods, plugged in the N 1 addition to Protocol from October, 4, 2001 about bringing of amendments and supplements to Protocol about the exception from the mode of free trade to Agreement between Government of Ukraine and Government of a Russian Federation about free trade from June, 24, 1993, on signed June, 24, 1993

CFTC Code CIS	Name of commodity	Term of abolition of exceptions
1701 99 1000	White Sugar	January, 1, 2009
	Pastry goods made from sugar (including white chocolate), without cacao:	
1704 90 3000	white chocolate;	January, 1, 2006
1704 90 7100	boiled candies with filling or without filling;	January, 1, 2006
1704 90 7500	toffee, caramels and similar sweets;	January, 1, 2006

1704 90 8100	the same, pressed in form of pills.	January, 1, 2006
	Chocolate and other food products which contain cacao:	
1806 31 000	with filling;	January, 1, 2006
1806 32 900	without filling.	January, 1, 2006
1905 30 1900	Sweet cookies, waffles	January, 1, 2006
2402	Cigars, cigars with the cut ends, cigarillos (thin cigars) and cigarettes made from tobacco or his substitutes	January, 1, 2006