

1. The Parties have agreed that abidance by the principle of free transit is the 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 of the two states shall ensure unhindered transit through its territory of commodities originating from the customs territory of another state and/or third state, and shall 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 state.

The Parties agree that the transit tariffs for any type of transport, including tariffs of loading and unloading, will be economically justified.

Article 11

The present Agreement shall not preclude the right of any of the Parties from taking measures generally accepted in international practice, which 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 12

In order to pursue a concerted policy of export control with regard to third countries, the Parties shall hold regular consultations and take conciliated measures for the development of an effective system of export control.

(Article 12 in the wording
of the Protocol of October 18, 2005)

Article 13. Deleted

(in compliance with of the Protocol of October 18, 2005,
whereby articles 14, 15 and 16 shall be considered
as articles 13, 14, 15 and 16 respectively)

Article 13

Nothing in the present Agreement shall hinder each of the Parties from establishing relations with third countries and perform the undertaken obligations in accordance with any other international agreement to which this Party is or might be a signatory, provided these relations and obligations are consistent with the provisions and purposes of the present Agreement.

(Article 13 in the wording
of the Protocol of October 18, 2005)

Article 14

Disputes between the Parties as to the interpretation or application of provisions of the present Agreement shall be settled through negotiations.

The amendments and additions to the present Agreement shall be introduced by mutual consent of the Parties and formalized by protocols, which are an inseparable part of the present Agreement.

(Article 14 supplemented by paragraph 2
in compliance with the Protocol of October 18, 2005)

Article 15

The Parties have vested the Intergovernmental Mixed Ukrainian-Belorussian Commission with the achievement of the goals of the present Agreement and the drafting of proposals for the improvement of trade and economic cooperation between the two countries.

(Article 15 in the wording
of the Protocol of October 18, 2005)

Article 17. Deleted

(in compliance with the
Protocol of October 18, 2005)

Article 18. Deleted

(in compliance with the
Protocol of October 18, 2005)

Article 16

The present Agreement shall come into force from the date of receipt of the last written notification about the Parties having performed the inter-state procedures required for the Agreement to come into force.

The present Agreement shall be invalid after the expiry of twelve months from the date when one of the Parties forwards a written notification about the intention to terminate its effect.

The provisions of the present Agreement after the termination of its effect shall be applied to the contracts between the business entities of the states Parties, which were concluded but not performed during its validity period.

(Article 16 in the wording
of the Protocol of October 18, 2005)

Made at the city of Kyiv on December 17, 1992 in two valid copies, each in the Ukrainian, Belarussian and Russian languages, all texts being of equal force.

On behalf of the Government of Ukraine

On behalf of the Government of the Republic of Belarus