

FREE TRADE AGREEMENT BETWEEN UKRAINE AND TAJIKISTAN

FREE TRADE AGREEMENT between the Cabinet of Ministers of Ukraine and the Government of the Republic of Tajikistan

Date of signing: June 6, 2001

Date of ratification: July 11, 2020²

The Cabinet of Ministers of Ukraine and the Government of the Republic of Tajikistan, referred to hereinafter as the Parties,

desiring to develop trade and economic cooperation between Ukraine and the Republic of Tajikistan on the basis of equality and mutual benefit,
taking guidance from the Agreement on the Establishment of the CIS Free Trade Area of April 15, 1994 and the Protocol to the Introduction of Amendments and Additions to the Agreement on the Establishment of the Free Trade Area of April 2, 1999,

expressing their resolve to promote the harmonious development and growth of world trade and remove the barriers in the way of its development,

confirming the need to develop bilateral relations in the area of trade and economic relations in compliance with the principles of the General Agreement on Tariffs and Trade (GATT) and the World Trade Organization (WTO),

promoting the growth of the economic potential of states on the basis of development of mutual trade and cooperative relations,

have agreed as follows:

Article 1

1. The Parties shall not apply customs duties, taxes and charges of equivalent effect, as well as quantitative restrictions on the export and (or) import of commodities forwarded from the customs territory of one of the Contracting Parties and intended for the customs territory of another Party. Exclusion from the given trade regime by a conciliated classification of commodities, if the Parties deem it necessary, shall be formalized by a separate Protocol that is an inseparable part of the present Agreement.

2. For the purposes of the present Agreement and for its validity period, the commodities originating from the territory of a Contracting Party shall mean the commodities identified according to the Rules for Identifying the Countries of the Commodities' Origin, which is an inseparable part of the Agreement on the Establishment of the CIS Free Trade Area of April 15, 1994.

Article 2

The Parties shall not:

- directly or indirectly impose on commodities, which come within the purview of the present Agreement, domestic taxes and charges that exceed corresponding taxes or charges imposed on similar commodities of domestic manufacture or commodities originating from third countries;
- introduce relative to imports and exports, which come within the purview of the present Agreement, any special restrictions or requirements which under a similar situation are not applied to similar commodities of domestic manufacture or commodities originating from third countries;

- apply to the warehousing, reloading, storage, movement of commodities originating from the territory of another Party, as well as payments and remittance of payments other rules than those that are applied in similar cases to its own commodities or commodities originating from third countries.

Article 3

The present Agreement shall not preclude the right of each of the Parties from taking unilateral measures generally accepted in international practice in state regulation of foreign trade relations, 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:

- protection of public morals and public order;
- protection of human life and health,
- protection of animals and plants;
- protection of the environment;
- protection of artistic, archeological and historical values that constitute the national heritage
- protection of industrial and intellectual property
- trade in gold, silver and other precious metals and stones;
- conservation of irreplaceable natural resources;
- upsetting the balance of payments;

as well as:

- restriction of the export of products the domestic prices which are below world prices owing to programs of government support;
- restriction of the import of products, if they are imported into the territory of one of the Parties in such quantities and on such terms that cause or threaten to cause damage to domestic producers of similar or directly competitive products.

2. Nothing in the present Agreement shall preclude the right of any of the Parties from applying any measures of state regulation it deems necessary, if these measures concern the following:

- assurance of national security, including prevention of the outflow of confidential information referred to state secrets;
- trade in weapons, ammunition and materiel, provision of services of a military nature, transfer of technologies and provision of services for the manufacture of armaments and materiel, as well as for other military purposes;
- supply of fission material and sources of radioactive substances, recovery of radioactive waste;
- measures applied at times of war or under other emergency circumstances in international relations;
- actions aimed to meet the commitments under the UN Charter for the preservation of international peace and security.

Article 4