

The Parties agreed not to permit the unsanctioned 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 commodities specified in part 1 of this Article may be reexported, provided there is a properly executed permit issued by an authorized agency of the Party from the territory of whose state these commodities originate.

In case of failure to comply with the provisions of the Agreement, the Party whose interests were affected shall be entitled under unilateral procedure to introduce measures to regulate the export of such commodities to the territory of the other Party that permitted the unconciliated reexport.

Reexport shall mean the removal of commodities, which originate from the customs territory of one Party, by another Party beyond its customs territory in order to export them to a third country.

Article 5

The Parties shall exchange on a regular basis information about laws and other statutory acts related to economic activity, including on issues of trade, investment, taxation, banking, insurance and other services, as well as on issues of transport and customs, customs statistics included.

The Parties shall without delay notify each other about the changes in national legislation that may impact on the performance of the present Agreement.

The authorized agencies of the Parties shall conciliate the procedure for exchanging such information.

The provisions of the present Article shall not be interpreted as binding for the competent bodies of any Party to:

- provide information that may not be received under the legislation or in the course of usual administrative practice by one of the Parties;
- provide information that would disclose any trade, business, industrial, commercial or professional secret, or a trading process, or any information the transfer of which is inconsistent with the state interests of a Party.

Article 6

The Parties shall recognize unfair business practices as being incompatible with the purposes of the present Agreement and shall undertake not to admit and eliminate 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 Parties;
- actions by which one or several enterprises use their dominating status, restricting competition on the entire or a substantial part of the Parties' territories.

Article 7

1. The Parties agree that abidance by the principle of free transit is an 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.

Transit carriage shall not be subject to unjustified delays or restrictions.

In this connection, each Party shall ensure unhindered transit through its territory of commodities originating from the customs territory of another Party and/or third countries and intended for the customs territory of the other Party or any third country, 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 exporters, importers or carriers of any third country.

2. The procedure and terms of transit of freight through the territories of states Parties shall be regulated by bilateral and multilateral agreements on transport, to which both Parties are signatories.

Article 8

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

Article 9

The provisions of the present Agreement shall prevail over the provisions of bilateral agreements concluded earlier between the Parties to the extent when the latter are either not compatible with the first or identical to them, except for the provisions of bilateral and multilateral agreements in the area of transports, which set out the procedure and terms of carriage.

Article 10

The present Agreement shall not hinder any of the Parties from establishing relations with third countries, perform the undertaken obligations in compliance with any other international agreements, to which this Party is or may be a signatory, if these relations and obligations are consistent with the provisions and the purpose of the present Agreement.

Article 11

In order to achieve the purposes of the present Agreement and draft recommendations for the improvement of trade and economic cooperation between the two countries, the Parties have agreed to set up a joint intergovernmental Ukrainian-Tajik Commission on economic cooperation.

Article 12

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

The Parties shall strive to avoid conflict situations in mutual trade.

Article 13

Amendments or additions may be introduced to the present Agreement by conciliation of the Parties. The referred to amendments and additions shall be made in writing and be an inseparable part of the present Agreement.

Article 14

The present Agreement shall come into force from the date of the last notification about the Parties having performed the inter-state procedures required for this purpose and remain in force until the expiry of twelve months from the date when one of the Parties forwards a written notification to the other Party about the intention to terminate its effect.