

FREE TRADE AGREEMENT BETWEEN UKRAINE AND UZBEKISTAN

FREE TRADE AGREEMENT between the Government of Ukraine and the Government of the Republic of Uzbekistan

Additionally see the Protocol
on changes and additions to the Agreement between the Government of Ukraine and the Republic of
Uzbekistan on free trade dated December 29, 1994

Date of signing: December 29, 1994

Effective date: January 1, 1996

The Government of Ukraine and the Government of the Republic of Uzbekistan, referred to hereinafter as the Contracting Parties,

confirming their favorable regard to the free development of mutual economic cooperation,

taking into account the evolved economic relations of Ukraine and the Republic of Uzbekistan;

desiring to develop trade and economic cooperation between Ukraine and the Republic of Uzbekistan on the basis of equality and mutual benefit,

recognizing that the free movement of goods and services requires effecting mutually agreed measures,

taking guidance from the provisions of the Declaration on the Fundamentals of Economic Relations between Ukraine and the Republic of Uzbekistan,

confirming their regard to the principles of the General Agreement on Tariffs and Trade (GATT) and the World Trade Organization,

have agreed as follows:

Article 1

1. The Contracting Parties shall grant each other a regime of free trade.

The Contracting Parties shall not apply customs duties, taxes and charges of equivalent effect, as well as 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 Contracting Party. Exclusion from the given trade regime by a conciliated classification of commodities shall be formalized by documents that are an inseparable part of the present Agreement.

2. In compliance with item 1 of this Article, the Contracting Parties shall annually design and conciliate the general List of Exclusions from the regime of free trade as well as the methods of application of such exceptions.

3. For the purposes of the present Agreement and for its validity period, the commodities dispatched from the territories of the Contracting Parties shall mean the commodities identified by the Rules for Identifying the Countries of the Commodities' Origin of September 24, 1993 approved by the Decision of the Council of the Heads of Governments of the Commonwealth of Independent States.

Article 2

Each of the Contracting 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 forwarded from third countries;
- apply to the warehousing, reloading, storage, movement of commodities originating from the territory of another Contracting 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 Contracting Parties shall in mutual trade refrain from applying discriminatory measures to the other Contracting Party, and from introducing quantitative restrictions or equivalent measures on the export and (or) import of commodities within the framework of the present Agreement.

The Parties may set quantitative or other special restrictions under unilateral procedure, but only within reasonable limits and for a clearly defined time.

These restrictions shall be of an exclusive nature and may be applied only in cases provided for under the GATT/WTO agreements.

The Contracting Party that applies quantitative restrictions under the present Article shall as far as possible provide to the other Contracting Party in good time full information about the main reasons for introducing the referred to restrictions in the due form and for the foreseen periods of application of the referred to restrictions, after which it shall appoint consultations.

Article 4

The present Agreement shall not preclude the right of each of the Contracting 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 human life and health, the environment, protection of animals and plants;
- protection of public morals and public order;
- trade in weapons, ammunition and materiel;
- supply of fission material and sources of radioactive substances, recovery of radioactive waste;
- trade in gold, silver or other precious metals and stones;
- conservation of exhaustible natural resources;
- upsetting the balance of payments;
- restriction of the export of products the domestic prices for which are below world prices owing to programs of government support;
- protection of industrial or intellectual property;
- protection of national heritage values;
- measures applied at times of war or under other emergency circumstances in international relations;