

WORLD TRADE ORGANIZATION

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Committee on Regional Trade Agreements

Original: English

FREE TRADE AGREEMENT BETWEEN ARMENIA AND KAZAKHSTAN

The following communication, dated 17 June 2004, is being circulated at the request of the Delegation of Armenia.

AGREEMENT

BETWEEN THE GOVERNMENT OF THE REPUBLIC OF ARMENIA AND
THE GOVERNMENT OF THE REPUBLIC OF KAZAKHSTAN ON FREE TRADE

The Government of Republic of Armenia and the Government of Republic of Kazakhstan, hereafter referred to as the Parties,

Striving to develop trade and economic cooperation between Republic of Armenia and Republic of Kazakhstan based upon equality and mutual benefits,

Guided by the principles of the Agreement by the Council of Heads of CIS States of April 15, 1994 on establishing a free-trade zone, and

Expressing their determination to develop bilateral relationships in the trade and economic interaction area in compliance with international trade norms and regulations,

HAVE AGREED as follows:

Article 1

- The Parties shall not apply customs duties or equivalent taxes and fees to the export and import of goods that originated within the customs territory of one of the Parties and are destined for the customs territory of the other Party. Exemptions to these trading terms may be formalized for an agreed-upon list of commodities by a separate protocol, in the event the parties consider this to be necessary.
- For the purposes of this Agreement, and for its effective term, the country of origin shall be determined according to the Rules of Establishing the Country of Origin for Goods, approved by Resolution of CIS Board of State Governments on September 24, 1993. The following goods are considered to have originated within the customs territory of anyone of the Parties:
 - Completely produced on the territory of the Parties or;
 - Having been processed on the territory of the Parties by utilizing raw materials and components of third country origin, whose classification under the Harmonized

世界贸易组织

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区域贸易协定委员会

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亚美尼亚与哈萨克斯坦自由贸易协定

应亚美尼亚代表团请求，现分发2004年6月17日的来文如下。

亚美尼亚共和国政府与哈萨克斯坦共和国政府关于自由贸易的协议

亚美尼亚共和国政府与哈萨克斯坦共和国政府（以下称缔约方），

致力于在平等互利基础上发展亚美尼亚共和国与哈萨克斯坦共和国之间的贸易经济合作，

遵循1994年4月15日独联体国家元首理事会关于建立自由贸易区的协议原则，且

表达双方决心依照国际贸易规范和法规发展贸易与经济合作领域的双边关系，

达成如下协议：

条款1

- 缔约方不得对原产于一方关税领土并 **destined for** 另一方关税领土的货物进出口征收关税或等效税费。若缔约方认为有必要，可通过单独议定书对商定的商品清单豁免上述贸易条款。
- 为本协议及其有效期之目的，货物原产国应根据1993年9月24日独联体国家政府委员会决议批准的《货物原产国确定规则》予以确定。下列货物应视为原产于任一缔约方关税领土：

(a) 完全在缔约方领土内生产；或 (b) 在缔约方领土内利用第三国原产的原材料和零部件进行加工，且其在协调制度

System of Commodity Description and Coding changed in at least one of the first four digits due to this processing;

(c) Produced with the use of raw materials and components listed in "b" above.

Detailed rules on establishing commodity origins shall be coordinated by the Parties and included in a document that shall become an integral part of this Agreement.

Article 2

The Parties shall not:

- directly or indirectly impose any internal taxes or fees on commodities that are subject to this Agreement, in excess of corresponding taxes and fees imposed on similar commodities of domestic production or of third country origin;
- apply any special limitations or conditions to commodities that are subject to this Agreement, in excess of limitations or conditions applied under similar circumstances to similar commodities of domestic production or of third country origin;
- apply special rules to warehousing, reloading, storage, and transportation of goods that originated within the territory of the Parties, and to payments and payment transfers, different from rules applied in similar situations regarding goods of domestic production or of third country origin.

Article 3

1. The Parties shall refrain from discriminating, introducing quotas or similar measures against each other in the export and/or import of goods within the framework of this Agreement.

2. Quotas referred to in Paragraph 1 of this Article may be introduced unilaterally, within reasonable limits, and with strictly defined time frames only in the event of:

- heavy deficit of a given commodity on the internal market -until the market condition stabilizes;
- heavy deficit in the balance of payment -until the balance of payment situation stabilizes;
- some commodity being imported into the territory of one of the Parties in such increased quantities or under such conditions that harm or threaten to harm domestic manufacturers of similar or directly competing goods.

3. If necessary, the quotas referred to in Paragraph 2 of this Article may be formalized in a separate protocol to this Agreement.

4. The Party that uses quotas pursuant to Paragraph 2 of this Article prior to formal introduction of these quotas, shall, upon request of the other Party, provide the necessary information on the reasons, forms, and possible time frames for using these quotas and any additional requested information.

5. The Party that intends to apply protective measures shall notify the other Party of its intent in a timely fashion, not later than 30 days before the planned implementation of such measures.

商品描述和编码系统中的分类在首个由于此处理导致的四位数；

(c) 使用上述"b"项所列的原材料和零部件生产。

商品原产地认定的详细规则应由缔约方协商确定，并纳入一份文件，该文件将成为本协议不可分割的一部分。

第二条

缔约方不得：

- 直接或间接对本协议项下商品征收的任何国内税或费用，超过对类似国内生产或第三国原产商品征收的相应税费；- 对本协议项下商品实施的任何特殊限制或条件，超过在类似情况下对类似国内生产或第三国原产商品实施的限制或条件；- 对原产于缔约方领土内的货物在仓储、转载、存储和运输方面，以及支付和支付转移方面适用特殊规则，这些规则不同于在类似情况下对国内生产或第三国原产货物适用的规则。

第三条

1. 缔约方应避免在本协议框架内的货物出口和/或进口方面相互歧视、实施配额或类似措施。

2. 本条款第1款所述的配额仅在以下情况下可单方面引入，且须在合理限度内并严格规定时间范围：

- 国内市场某种商品的严重赤字——直至市场状况稳定；- 国际收支的严重赤字——直至国际收支状况稳定；- 某种商品以如此大的数量或在如此条件下进口到某一缔约方境内，以致损害或威胁损害类似或直接竞争货物的国内制造商。

3. 如有必要，本条款第2款所述的配额可通过本协议的单独议定书正式确定。

4. 在正式引入这些配额之前根据本条款第2款使用配额的缔约方，应另一缔约方要求，提供关于使用这些配额的原因、形式和可能时间框架的必要信息，以及任何额外要求的信息。

5. 拟采取保护措施的缔约方应及时通知另一缔约方其意图，不得迟于计划实施此类措施前30天。