

Article 9

For the purposes of implementing tariff-based and non-tariff based regulation measures in the bilateral economic relationships, statistical information exchange, and for carrying out customs procedures, the Parties have agreed to use the unified, nine-digit Commodity Nomenclature of CIS Foreign Economic Activities that is based upon the Harmonized Commodities Description and Coding System and Combined Tariffs and Statistics Nomenclature of the EEC. For the needs of their own countries, these Commodity Nomenclatures may be expended as necessary.

Article 10

Each Party shall provide free transit over the territory of its country for goods originated within the customs territory of the other Party or having originated in third countries and destined for the customs territory of the other Party or any third country, and shall supply the exporters, importers, and shipping companies involved in such transit operations with all the available resources and services required for the execution of these transit operations on terms (including financial) that are not worse than the terms for providing the same resources and services to exporters, importers, and national shipping companies of any other third country.

Each Party guarantees waiving any customs duties and transit fees on trans-shipment of goods originated within the customs territory of the other Party, and this shall be formalized by a separate agreement.

Rates on trans-shipment by any means of transportation, including the rates for loading and unloading operations, shall be economically justified and shall not exceed normal operating expenses, including reasonable profit rates.

Article 11

1. This Agreement shall not prevent any of the Parties from taking measures of state control in the foreign economic relations area, generally accepted in the international practice, that are considered necessary for compliance with international agreements to which they are or intend to become a party, if these measures relate to:

- protection of public morale and public order;
- protection of human life and health;
- conservation of animal and plant life;
- protection of the environment;
- conservation of valuable art, archeological, and historical objects that are national treasures;
- protection of industrial and intellectual property;
- trade in gold, silver, and other precious metals and stones; conservation of non-renewable natural resources;
- limiting exports of a given commodity, in the event the domestic price for this commodity is lower than the world market price due to implementation of governmental support programs;

第9条

为在双边经济关系中实施基于关税的和非关税的监管措施、进行统计信息交换以及执行海关程序，双方同意使用统一的九位数独联体对外经济活动商品名称，该名称基于协调商品描述和编码系统及欧洲经济共同体联合关税和统计名称。为满足各自国家的需求，这些商品名称可酌情扩展。

第10条

每一缔约方应在其国家领土内为原产于另一缔约方关税领土或原产于第三国并运往另一缔约方关税领土或任何第三国的货物提供自由过境，并应向参与此类过境操作的出口商、进口商和航运公司提供执行这些过境操作所需的所有可用资源和服务，其条件（包括财务条件）不得劣于向任何其他第三国的出口商、进口商和本国航运公司提供相同资源和服务的条件。

每一缔约方保证免除对原产于另一缔约方关税领土的货物转运所征收的任何关税和过境费，此项免除应通过单独协议予以正式确认。

任何运输方式下的转运费率，包括装卸操作费率，应具有经济合理性且不得超过正常运营费用（含合理利润率）。

第11条

1. 本协议不妨碍任何缔约方在对外经济关系领域采取国家控制措施，只要这些措施属于国际惯例普遍接受且被认为对遵守其已加入或拟加入的国际协议确有必要，且涉及以下情形：

- 保护公共道德和公共秩序；- 保护人类生命和健康；- 保护动植物生命；- 保护环境；- 保护作为国家宝藏的珍贵艺术品、考古及历史文物；- 保护工业和知识产权；- 金、银及其他贵金属和宝石的贸易；保护不可再生的自然资源；- 在因实施政府支持计划导致某商品国内价格低于世界市场价格时，限制该商品的出口；

- disturbances in the balance of payments.

2. Nothing in this Agreement precludes the right of any of the Parties to use any means of state control deemed necessary by the Party, if these measures relate to:

- assuring national security, including the prevention of leaks in confidential information related to state secrets;
- trade in arms, military technology, munitions, offering military-type services, technology transfer, and providing services in the manufacture of armaments and military hardware, and for other purposes;
- supplying fissionable nuclear materials and sources of radioactive substances, processing of radioactive wastes;
- measures taken at time of war or during other extreme situations in the international relations;
- actions taken in compliance with the UN Charter for maintaining international peace and security.

*Article 12*

Provisions of this Agreement replace the provisions of any Agreements between the Parties insofar as the latter are incompatible or identical with the prior.

*Article 13*

Provisions of this Agreement do not affect any of the obligations taken by the Parties under other international agreements concluded earlier by the Parties with third countries, including Agreements concluded within the CIS framework with the participation of the Parties.

*Article 14*

Nothing in this Agreement prevents any of the Parties from establishing relationships with third countries and with their associations and international organizations on the condition that these relationships shall not contradict the purposes and provisions of this Agreement.

*Article 15*

Based upon the purposes of this Agreement and for the purpose of developing recommendations for improving the trade and economic cooperation between the two states, the Parties have agreed to create an Armenian-Kazakh commission.

The Commission shall meet upon the initiative of either Party, but not less than once a year, at alternating locations between the Republic of Armenia and Republic of Kazakhstan.

*Article 16*

The Parties may make amendments and additions to this Agreement upon mutual agreement. Any amendment shall become effective after the Parties are notified that all formalities needed for the enforcement of such amendment have been completed.

- 国际收支平衡的扰动。

2. 本协议任何规定均不妨碍任何缔约方在下列情况下使用该缔约方认为必要的国家控制手段：

- 保障国家安全，包括防止与国家秘密相关的机密信息泄露；- 武器、军事技术、军火贸易，提供军事类服务、技术转让，以及为军备和军事硬件的制造及其他目的提供服务；- 供应可裂变核材料和放射性物质来源，处理放射性废物；- 在国际关系中发生战争或其他极端情况时采取的措施；- 为维护国际和平与安全而根据《联合国宪章》采取的行动。

第十二条

本协议的规定取代双方之间任何协议的规定，只要后者与前者不相容或相同。

第十三条

本协议条款不影响双方根据先前与第三国缔结的其他国际协议（包括双方参与的在独联体框架内达成的协议）所承担的任何义务。

第十四条

本协议任何内容均不妨碍任何缔约方在符合本协议宗旨和条款的前提下，与第三国及其协会和国际组织建立关系。

第十五条

基于本协议宗旨并为制定促进两国间贸易与经济合作的建议，双方同意设立亚美尼亚-哈萨克斯坦委员会。

委员会应任一方提议召开会议，但每年不少于一次，会议地点在亚美尼亚共和国与哈萨克斯坦共和国之间轮换。

第十六条

双方可经双方同意对本协议作出修正和补充。任何修正案应在双方被告知完成该修正案执行所需的所有手续后生效。