

- agreements between enterprises, decisions made by the associations of enterprises, and general methods of business practices aimed at hindering or limiting competition or disrupting the competitive environment in the territories of the Contracting Parties;
- actions by means of which one or a few enterprises use their dominant position, limiting competition within the entire territory of the Contracting Parties or a significant part thereof.

Article 6

For the purposes of applying measures of tariff and non-tariff regulation in the bilateral economic relationships, statistical information exchange, and for carrying out customs procedures, the Contracting Parties will use the unified, nine-digit Commodity Nomenclature of Foreign Economic Activities (CN FEA), based upon the Harmonized Commodity Description and Coding System and Combined Tariffs and Statistics Nomenclature of the EEC. For their own needs Contracting Parties may expend this Commodity Nomenclature beyond the nine digits if necessary.

Introduction of the reference Commodity Nomenclature is carried on a mutually agreed basis through the existing representations in the relevant international organizations.

Article 7

1. Contracting Parties agree that the adherence to the principle of freedom of transit is the major condition for achieving goals of this Agreement and a substantial element in the process of their integration into the system of international division of labour and cooperation.

Thereupon each Contracting Party shall provide unimpeded transit through its territory for goods originating from the customs territory of the other Contracting Party or third countries and destined for the customs territory of the other Contracting Party or any third country, and shall supply exporters, importers, and carriers with all facilities and services available and necessary for ensuring transit on terms not worse than those granted to national exporters, importers, or exporters, importers or carriers of any other third state.

2. Procedure and terms of passing of goods through the territory of countries are regulated in accordance with the international rules for shipping operations.

Article 8

This Agreement shall not impede the right of any of the Contracting Parties to take generally accepted in the international practice measures which it considers necessary for protecting its vital interests or which are undoubtedly necessary for compliance with international agreements to which it is or intends to become a party, if these measures relate to:

- information affecting the interests of national defence;
- trade in arms, munitions and military equipment;
- research or production related to the defence needs;
- supply of materials and equipment used in nuclear industry;
- protection of public morality and public order;

- 企业间协议、企业协会作出的决定以及旨在阻碍或限制竞争或破坏缔约方境内竞争环境的普遍商业行为；- 一个或少数企业利用其主导地位采取的行动，限制整个缔约方境内或其重要部分的竞争。

第六条

为在双边经济关系中实施关税和非关税监管措施、交换统计信息以及执行海关程序，缔约方将使用基于《协调商品描述和编码系统》和《欧洲经济共同体联合关税和统计目录》的统一九位数《对外经济活动商品目录》（CN FEA）。缔约方可根据自身需要，在必要时将该商品目录扩展至九位数以上。

在此基础上，通过商品目录的编制工作将在双方协商一致的基
相关国际组织中的现有代表权。

第七条

1. 缔约方同意，遵守过境自由原则是实现本协议目标的主要条件，也是其融入国际分工与合作体系进程中的重要要素。

据此，每一缔约方应确保源自另一缔约方关税领土或第三国的货物，以及 **destined for** 另一缔约方关税领土或任何第三国的货物，在其领土内无障碍过境，并应向出口商、进口商和承运人提供所有可用且必要的设施和服务，以确保过境条件不低于给予本国出口商、进口商或任何其他第三国出口商、进口商或承运人的条件。

2. 货物通过国家领土的程序和条件应按照航运业务国际规则进行规范。

第八条

本协议不妨碍任何缔约方采取国际惯例中普遍接受的措施的权利，只要该缔约方认为这些措施对保护其重大利益是必要的，或无疑是为了遵守其已成为或拟成为缔约方的国际协议所必需的，且这些措施涉及：

- 涉及国防利益的信息；- 武器、弹药和军事装备贸易；- 与国防需求相关的研究或生产；- 核工业所用材料和设备的供应；- 公共道德和公共秩序保护；

- protection of industrial and intellectual property;
- gold, silver, and other precious metals and stones;
- protection of human, animal and plant life.

Article 9

With the goal of pursuing coordinated policy of export control in relation to the third countries Contracting Parties shall conduct regular consultations and take mutually agreed measures for creation of effective system of export control.

Article 10

Provisions of this Agreement shall replace the provisions of any bilateral agreements concluded earlier by the Contracting Parties insofar as the latter are incompatible or identical with the former.

Article 11

Disputes between Contracting Parties related to interpretation or application of provisions of this Agreement shall be resolved by means of negotiations.

Contracting Parties shall endeavour to avoid conflicting situations in mutual trade.

Each Contracting Party shall assure in its territory effective means to recognise and enforce arbitration awards.

Article 12

To achieve the goals of this Agreement and to elaborate recommendations for developing trade and economic cooperation between the two countries, Contracting Parties have agreed to establish a joint Armenian-Ukrainian commission.

Article 13

This Agreement becomes effective upon exchange of notice of completion by the Contracting Parties of all required intra-state procedures and shall remain in force within twelve months from the date, when one of the Contracting Parties notifies the other Contracting Party in writing of its desire to terminate this Agreement.

Provisions of this Agreement after its termination shall apply to the contracts among the enterprises and organizations of both countries, concluded, but not implemented during the period when the Agreement is in force.

Done in the City of Kyiv, on October 7, 1994 in two originals, each in Armenian, Russian, and Ukrainian, of which every text is equally authentic.

For the purpose of interpretation of the provisions of this Agreement the text in Russian shall have prevalence.

The Agreement comes into force on December 18, 1996.

- 工业和知识产权保护；- 金、银及其他贵金属和宝石；- 人类、动物和植物生命保护。

第9条

为协调对第三国的出口管制政策，缔约方应定期磋商并采取双方同意的措施，以建立有效的出口管制体系。

第10条

本协议条款应取代缔约方先前签订的任何双边协议中与之不相容或相同的条款。

第11条

缔约方之间关于本协议条款解释或适用的争议应通过谈判方式解决。

缔约方应努力避免相互贸易中的冲突情况。

各缔约方应确保在其领土内提供有效手段以承认和执行仲裁裁决。

第12条

为实现本协议目标并制定促进两国间贸易和经济合作发展的建议，缔约方同意设立亚美尼亚-乌克兰联合委员会。

第13条

本协议自缔约方完成所有必要的国内程序并交换通知之日起生效，并在十二个月内持续有效，直至任一缔约方向另一方书面通知终止本协议的意愿为止。

本协议终止后，其条款仍适用于协议有效期内两国企业和组织间已签订但未履行的合同。

本协议于1994年10月7日在基辅市签署，一式两份，每份均以亚美尼亚语、俄语和乌克兰语写成，所有文本具有同等效力。

为解释本协议条款之目的，应以俄语文本为准。

本协议自1996年12月18日起生效。_____