

**AGREEMENT
BETWEEN THE GOVERNMENT OF RUSSIAN FEDERATION AND THE
GOVERNMENT OF THE REPUBLIC OF AZERBAIJAN ON FREE TRADE**

(Baku, September 30, 1992)

The Government of the Russian Federation and the Government of the Republic of Azerbaijan, hereafter referred to as the Contracting Parties,

striving to develop trade and economic cooperation between the Russian Federation and the Republic of Azerbaijan based upon equality and mutual benefits,

based upon the sovereign rights of each Contracting Party to conduct its independent foreign economic policy and enforce relevant international obligations and realization of proclaimed aims,

recognizing importance of measures, aimed at the creation of a strong base for successful enlargement of cooperation between the countries on a basis of a free trade,

have agreed as follows:

Article 1

1. Contracting Parties shall not apply customs duties, taxes and charges having equivalent impact on import of goods originating from the customs territory of one of Contracting Parties and destined for the customs territory of the other Contracting Party. Special cases of application of this trade regime between the two countries on the agreed nomenclature of the goods shall be formalized by annual documents, which shall be an integral part of this Agreement.

2. For the purposes of this Agreement, and for its effective term, goods originating from the territories of Contracting Parties shall be deemed to be:

- (a) Completely produced in the territory of Contracting Parties;
- (b) Having been processed on the territory of Contracting Parties by utilizing raw materials, materials and components of third country origin, whose classification under the Harmonized 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, materials and components listed in "b" of the above provided that their total cost does not exceed a fixed proportion of the export price of commodities sold.

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

Article 2

Contracting Parties shall not:

directly or indirectly impose any internal taxes or charges on goods covered by this Agreement, in excess of corresponding taxes and charges imposed on similar goods of domestic production or of third country origin;

apply any special limitations or conditions to goods covered by this Agreement, in excess of limitations or conditions applied under similar circumstances to similar goods of domestic production or of third country origin;

apply rules to warehousing, reloading, storage, and transportation of goods that originating from the territory of the other Contracting Party, as well as to payments and payment transfers, other than those applied in similar situations regarding goods of domestic production or of third country origin.

Article 3

1. Contracting Parties shall refrain from introducing quantitative restrictions or its equivalents on export and (or) import of goods within the framework of this Agreement.

协定俄罗斯联邦政府与阿塞拜疆共和国政府关于自由贸易的协定

(巴库, 1992年9月30日)

俄罗斯联邦政府和阿塞拜疆共和国政府, 以下简称缔约方,

致力于在平等互利的基础上发展俄罗斯联邦和阿塞拜疆共和国之间的贸易和经济合作,

基于每个缔约方行使其独立对外经济政策的主权权利以及履行相关国际义务和实现宣布目标的措施,

认识到旨在建立自由贸易基础上国家间合作成功扩大的坚实基础的重要性,

已同意如下:

第1条

1. 缔约方不得对原产于缔约方一方海关领土、并运往缔约方另一方海关领土的商品进口, 征收具有同等影响的关税、税收和费用。两国之间根据商定的商品目录适用本贸易制度的特殊情况, 应通过年度文件进行正式化, 这些年度文件应为本协定不可分割的一部分。

2. 就本协定而言, 并就其有效期限而言, 原产于缔约方领土的商品应被视为:

(a) 完全在缔约方领土内生产; (b) 在缔约方领土内加工, 利用了原产于第三国的原材料、材料和部件, 由于这种加工, 其根据协调制度商品描述和编码制度的分类在至少一个前四位数字中发生了变化; (c) 使用了上述“b”中列出的原材料、材料和部件进行生产, 前提是它们的总成本不超过所售商品出口价格的一定比例。

关于确立商品原产地的详细规则应由缔约方协调, 并包含在一个将成为本协议组成部分的文件中。

条款 2

缔约方不得:

直接或间接对根据本协议涵盖的商品征收超过对国内生产类似货物或第三国原产地类似货物所征收的相应税收和费用的内部税或费用;

对根据本协议涵盖的商品应用特殊限制或条件, 超过在类似情况下对国内生产类似货物或第三国原产地类似货物应用的限制或条件;

对起源于另一缔约方领土的商品的仓储、重新装载、储存和运输以及支付和支付转账应用规则, 除非这些规则与关于国内生产货物或第三国原产地货物的类似情况下的规则相同。

条款 3

1. 缔约方在本协议框架内应避免对商品出口和 (或) 进口实行数量限制或其等价物。

2. Quantitative restrictions referred to in Paragraph 1 of this Article may be introduced unilaterally with strictly defined time frames only in the event of:
- sharp deficit in this good on domestic market - until the situation on domestic market will stabilize, or
 - sharp deficit in the balance of payment - until the balance of payment situation stabilizes, or
 - if any good has been imported on the territory of one of the Contracting Parties in such increased quantities and on such terms that threaten or may threaten to cause injury to domestic producers of like or directly competitive goods,
 - for the purposes of exercising the measures provided by the Article 4 of this Agreement.
3. Quantitative restrictions referred to in Paragraph 1 of this Article may also be introduced by mutual agreement of the parties and shall be included in the annual documents referred to in Paragraph 1 of Article 1 of this Agreement.
4. A Contracting Party using quantitative restrictions under Paragraph 2 of this Article shall if possible in advance inform, as well as upon request of the other Contracting Party, immediately provide the necessary information on the reasons, forms, and possible time frames for using the abovementioned restrictions.
5. Contracting Parties shall endeavour to solve all issues arising in relation to application of quantitative restrictions under Paragraph 2 of this Article by means of consultations.

Article 4

Each Contracting Party shall not permit re-export of goods in relation to export of which the other Contracting Party where these goods originate from applies measures of tariff-based and (or) non-tariff-based regulation.

Re-export of such goods into third countries is permitted only upon written consent and on conditions stipulated by an authorized state agency of the country of origin of these goods. In the event of non-compliance with this provision, the Contracting Party whose interests have been violated has the right for unilateral introduction of measures to regulate export of goods into the territory of the state that permitted the non-sanctioned re-export. In addition the latter shall repay the full amount of such re-export proceeds to the country of origin of relevant goods.

The term "re-export" refers to the export of goods originating from the customs territory of one Contracting Party, as defined in Article 1, paragraph 2 of this Agreement, by the other Contracting Party to the outside of the customs territory of the latter, for the purpose of exporting it into a third country.

Article 5

Contracting Parties will on a regular basis exchange information on customs issues, including customs statistics. Relevant authorized bodies of the Contracting Parties shall coordinate the way to exchange such information.

Article 6

Contracting Parties will inform each other on all the exceptions to the existing customs tariff that are applied unilaterally.

Article 7

Contracting Parties shall consider incompatible with the purposes of this Agreement any unfair business practices and shall not allow and eliminate the following methods thereof:

- 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;

2. 本条款第1段所指的数量限制可仅在发生以下情况时单方面地引入，且必须严格规定时间范围：
- 本国内市场对此商品出现严重短缺 - 直至国内市场情况稳定，或
 - 国际收支出现严重短缺 - 直至国际收支情况稳定，或
 - 如果任何商品在缔约方领土上以增加的数量和条件进口，以至于威胁或可能威胁到同类或直接竞争商品国内生产者的利益，
 - 为了实施本协定第4条规定的措施。
3. 本条款第1段所述的数量限制也可由缔约方相互协议引入，并应列入本协定第1条第1段所述的年度文件。
4. 根据本条第2段使用数量限制的缔约方，如有可能，应事先通知另一缔约方，并在其要求时立即提供使用上述限制的理由、形式和可能的时间范围所需的必要信息。
5. 缔约方应通过协商努力解决与本协议第4条第2款规定的数量限制相关的所有问题。

第4条

每一缔约方不得允许再出口与另一缔约方（该商品原产于该缔约方）对之实施关税和非关税调节措施的商品。

此类商品再出口至第三国须经原产国授权国家机构的书面同意，并遵守其规定条件。如违反本规定，受损害的缔约方有权单方面采取措施，以调节商品出口至允许未经授权的再出口的国家领土。此外，后者应将此类再出口的全部收入全额偿还给相关商品的原产国。

“再出口”一词是指根据本协议第1条第2款定义的，由一缔约方将原产于另一缔约方海关领土的商品，出口至后者海关领土之外，以供出口至第三国的行为。

第5条

缔约方将定期交换海关问题方面的信息，包括海关统计。缔约方相关授权机构应协调交换此类信息的方式。

第6条

缔约方将相互通报单方面适用的现有海关税则的例外。

第7条

缔约方应将任何与本协议目的不一致的不公平商业行为视为不兼容，并且不得允许和消除其方法：

- 企业间协议、企业协会作出的决定以及旨在妨碍或限制缔约方领土内竞争或破坏竞争环境的一般商业行为方法；

- 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 8

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 agreed to 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 Eurasian economic community. For their own needs Contracting Parties may expend this Commodity Nomenclature beyond the nine digits if necessary.

Introduction of the reference original of the Commodity Nomenclature is carried out by the Russian Federation through the existing representations in the relevant international organizations, until the Republic of Azerbaijan declares its independent introduction of such an original.

Article 9

Contracting Parties shall not use state aid in the form of subsidies to enterprises or in any other form if the result of such state aid would be the distortion of normal economic conditions in the territory of the other Contracting Party.

Article 10

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 carriers, or exporters, importers or carriers of any other third state.

Transit tariffs for all types of transportation, including tariffs for loading and unloading operations, shall be economically justified and shall not exceed normal operational expenses, including reasonable profit rates. Contracting Parties shall not request payment for warehousing, reloading, storage, and transportation of goods in the currency of any third state.

Contracting Parties shall conclude a special agreement on transit.

Article 11

Contracting Parties have the right to take measures which they consider necessary for protecting their vital interests or which are undoubtedly necessary for compliance with international agreements to which they are or intend to become parties, 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;
- protection of industrial and intellectual property;
- gold, silver, and other precious metals and stones;
- protection of human, animal and plant life.

Article 12

-企业通过其主导地位采取的措施，限制缔约方整个领土或其重要部分的竞争。

第8条

在双边经济关系、统计信息交换以及海关程序中适用关税和非关税监管措施方面，缔约方同意使用基于协调商品描述和编码系统以及欧亚经济共同体关税和统计分类目录的统一九位对外经济活动商品分类目录（CN FEA）。如有必要，缔约方可出于自身需要，超出九位使用该商品分类目录。

商品分类目录的参考原始文本的引入由俄罗斯联邦通过其在相关国际组织中的现有代表进行，直到阿塞拜疆共和国宣布其独立引入此类原始文本。

第9条

如果国家援助的结果会导致在另一缔约方领土上扭曲正常经济条件，则缔约方不得以补贴形式或其他任何形式向企业提供国家援助。

第10条

缔约方同意，遵守过境自由原则是实现本协定目标的主要条件，也是其融入国际分工与合作体系过程中的重要因素。

据此，每一缔约方应在其领土上为源自另一缔约方海关领土或第三国海关领土、并运往该另一缔约方海关领土或任何第三国海关领土的商品提供不受阻碍的过境，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，以确保在不超过授予本国出口商、进口商或承运人，或任何其他第三国出口商、进口商或承运人的条件的过境。

所有类型运输的过境关税，包括装卸操作的关税，应具有经济合理性，且不得超过正常运营费用，包括合理的利润率。缔约方不得以任何第三国的货币收取商品的仓储、重新装载、储存和运输费用。

缔约方应当缔结一项关于过境的特殊协定。

第11条

缔约方有权采取其认为为保护其重大利益所必需的措施，或采取无疑必要以遵守其已成为或打算成为缔约方的国际协定所规定的措施，如果这些措施与下列事项有关：

- 影响国防利益的情报；
- 武器、弹药和军事装备的贸易；
- 与国防需求相关的研发或生产；
- 核工业所用材料和设备的供应；
- 保护公共道德和公共秩序；
- 保护工业和知识产权；
- 黄金、白银和其他贵金属和宝石；
- 保护人类、动物和植物生命。

第12条

With the goal of pursuing coordinated policy of export control in relation to the third countries on goods and services included in common check lists, Contracting Parties shall establish an Inter-State Coordination Council on Export Control consisting of the heads of national bodies of export control and support staff. Functions of Inter-State Coordination Council shall include the approval of common check lists of goods and services, examination of cases of export control requirements violation, elaboration of proposals to introduce or to call off sanctions, as well as other questions of export control.

Article 13

Provisions of this Agreement shall replace the provisions of agreements concluded earlier by the Contracting Parties insofar as the latter are incompatible or identical with the former. Contracting Parties will instruct their competent authorities to prepare an appropriate protocol on this matter.

Article 14

This Agreement shall not affect other Agreements concluded earlier by the Contracting Parties with third countries.

Article 15

Nothing in this Agreement shall prevent Contracting Parties from establishing relationships which do not contradict the goals and terms of this Agreement with the states which are not parties to this Agreement and with their associations and international organizations.

Article 16

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

Article 17

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 Russian-Azerbaijani commission.

Article 18

Contracting Parties have agreed that the Russian Federation may establish its trade representation in the Republic of Azerbaijan, and the Republic of Azerbaijan may establish its trade representation in the Russian Federation. The legal status of these trade representations, their functions and residence will be agreed by the Contracting Parties in a separate agreement.

Article 19

Any state may accede to this Agreement on terms and conditions which would be agreed between the acceding state and the Contracting Parties.

Article 20

An integral part of this Agreement shall be a Protocol on exceptions to free trade regime which the Parties shall sign in one month after the signature of the Agreement.

为在共同检查清单中包含的商品和服务方面与第三国协调出口管制政策的目标，缔约方应设立一个由国家出口管制机构负责人及支持人员组成的州际出口管制协调委员会。州际出口管制协调委员会的职能应包括批准商品和服务的共同检查清单、审查违反出口管制要求的案例、制定提出或取消制裁的建议，以及出口管制方面的其他问题。

第13条

本协议的条款应取代缔约方先前缔结的协议中的条款，如果后者与本协议不一致或相同。缔约方将指示其主管当局就此事准备一个适当的议定书。

第14条

本协议不影响缔约方与第三国先前缔结的其他协议。

第15条

本协议的任何条款均不得阻止缔约方与非本协议缔约方国家及其协会和国际组织建立不与本协议的目标和条款相矛盾的关系。

第16条

缔约方之间因对本协议条款的解释或适用产生的争议应通过谈判解决。

第17条

为达成本协议的目标，并制定发展两国贸易和经济合作的建议，缔约方同意建立俄阿联合委员会。

第18条

缔约方同意俄罗斯联邦可在阿塞拜疆共和国设立其贸易代表处，阿塞拜疆共和国可在俄罗斯联邦设立其贸易代表处。这些贸易代表处的法律地位、其职能和驻地将由缔约方在单独的协议中商定。

第十九条

任何国家均可根据加入国与缔约方之间商定的条款加入本协议。

第二十条

本协议的组成部分应是一份自由贸易例外议定书，缔约方应在协议签署后一个月内签署该议定书。

Article 21

This Agreement becomes effective upon exchange of notices of completion by the Contracting Parties of intra-state procedures necessary for its entry into force.

This Agreement will become invalid after 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.

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 Baku, on September 30, 1992 in two originals, each in Russian and Azerbaijani, both texts being equally authentic.

(Signatures)

Annex 1

PROTOCOL
ON EXCEPTIONS TO FREE TRADE REGIME
TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE RUSSIAN
FEDERATION AND THE GOVERNMENT OF THE REPUBLIC OF AZERBAIJAN
ON FREE TRADE
OF SEPTEMBER 30, 1992

第21条

本协议在缔约方完成其生效所需的国内程序并交换完成通知后生效。

本协议自缔约方一方以书面形式通知另一方其终止本协议的愿望之日起十二个月后无效。

本协议终止后，在其生效期间内签订但尚未实施的本协议缔约方两国的企业和组织之间的合同应继续适用。

1992年9月30日在巴库市签署，一式两份，每份以俄语和阿塞拜疆语写成，两种文本同等有效。

(签字)

附件1

关于俄罗斯联邦政府和阿塞拜疆共和国政府就1992年9月30日自由贸易协定自由贸易例外议定书

(Moscow, November 26, 1992)

Authorized representatives of the Russian Federation and the Republic of Azerbaijan, have concluded this Protocol on the following.

Article 1

Exceptions provided by Article 1 of the Agreement between the Government of the Russian Federation and the Government of the Republic of Azerbaijan on Free Trade, as of September 30, 1992, shall apply to:

1. Goods subject to the Russian legislation on export tariff, as well as the legislation on licensing and quoting of exportation of goods (works, services) which is in force at the moment of customs clearance of goods during their exportation from the Russian Federation to the Republic of Azerbaijan (at the moment of signing this Protocol export tariffs in force, established by the Government of the Russian Federation Regulation No 461 as of June 30, 1992; list of the goods subject to quotas and licensing are established by the Government of the Russian Federation Regulation No 854 as of 6 November 1992);

2. Goods subject to the Azerbaijani legislation on export tariff, as well as the legislation on licensing and quoting of exportation of goods (works, services) which is in force at the moment of customs clearance of goods during their exportation from the Republic of Azerbaijan to the Russian Federation (at the moment of signing this Protocol there is no legislation of the Republic of Azerbaijan on export tariff, the Republic of Azerbaijan will inform the Russian Federation on its introduction, the list of the goods subject to quotas and licensing are established by the Decree of the President of the Republic of Azerbaijan No. 136 as of August 13, 1992).

The Parties shall immediately inform each other of all changes in the above stated exceptions.

Article 2

1. In respect of the goods subject to tariff and non tariff export restrictions in accordance with Article 1 of this Protocol, Parties shall provide each other most favoured nation regime in regard to:

- customs duties, taxes and charges payable upon export, including methods of levying such duties, taxes and fees;
- provisions relating to customs clearance of transit, transportation, storage, reloading and other similar services;
- export regulation;
- issuance of export licenses.

2. The provisions of paragraph 1 of this Article shall not apply to:

- advantages offered by any of the Parties to third countries with the aim of creating a customs union or a free trade area or as a result of the establishment of such a union or area;
- advantages granted to developing countries, in accordance with the laws of the Parties;
- advantages provided to the neighbouring countries in order to facilitate cross-border trade;
- advantages provided by Parties to each other in accordance with special agreements.

Article 3

The Parties have agreed not to apply customs export and import duties in mutual trade till February 1, 1993.

Article 4

1. This Protocol shall be integral part of the Agreement between the Government of the Russian Federation and the Government of the Republic of Azerbaijan on Free Trade, as of September 30, 1992, and shall come into force on the same date as this Agreement.

(莫斯科, 1992年11月26日)

俄罗斯联邦和阿塞拜疆共和国的授权代表, 就以下内容签署了本议定书。

第1条

俄罗斯联邦政府与阿塞拜疆共和国政府关于自由贸易协定第1条所提供的例外, 自1992年9月30日起生效, 应适用于:

1. 受俄罗斯出口关税法规约束的商品, 以及受出口商品(作品、服务)许可和报价法规约束的商品(在商品从俄罗斯联邦出口至阿塞拜疆共和国进行海关清关时有效), 该法规在签署本议定书时生效, 由俄罗斯联邦政府第461号法规于1992年6月30日制定; 受配额和许可约束的商品清单由俄罗斯联邦政府第854号法规于1992年11月6日制定;

2. 受阿塞拜疆出口关税法规约束的商品, 以及受出口商品(作品、服务)许可和报价法规约束的商品(在商品从阿塞拜疆共和国出口至俄罗斯联邦进行海关清关时有效), 该法规在签署本议定书时生效, 阿塞拜疆共和国没有出口关税法规, 阿塞拜疆共和国将通知俄罗斯联邦其引入情况, 受配额和许可约束的商品清单由阿塞拜疆共和国总统第136号法令于1992年8月13日制定)。缔约方

s应当立即相互通知上述例外情况的所有变化

第2条

1. 对于根据本议定书第1条规定的关税和非关税出口限制的商品, 缔约方应相互提供最惠国待遇, 具体包括: - 关税、出口应缴纳的税费, 包括征收此类关税、税费的方法; - 与海关清关相关的规定, 包括过境、运输、储存、重新装载和其他类似服务; - 出口监管; - 出口许可证的签发。2. 本条第1段的规定不适用于: - 任何一方为建立关税同盟或自由贸易区而提供给第三国的优惠, 或因建立此类同盟或区域而提供的优惠; - 根据各方的法律给予发展中国家的优惠; - 为促进跨境贸易而提供给邻国的优惠; - 各方根据特殊协议相互提供的优惠。

第3条

缔约方同意在相互贸易中不适用海关出口和进口关税, 直至1993年2月1日。

第4条

1. 本议定书应作为俄罗斯联邦政府与阿塞拜疆共和国政府关于自由贸易协定的一部分, 自1992年9月30日起生效, 并应与该协定于同一天生效。

2. This Protocol shall be valid till the new Protocol will be signed as provided by the Article 1 the Agreement between the Government of the Russian Federation and the Government of Azerbaijan on Free Trade, as of September 30, 1992.

Done in the city of Moscow on 26 November 1992, in two originals. Each is in the Russian and Azerbaijani languages. And both of the texts shall be equally valid.

(Signatures)

Annex 2

**PROTOCOL
ON EXCEPTIONS TO FREE TRADE REGIME
TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE RUSSIAN
FEDERATION AND THE GOVERNMENT OF THE REPUBLIC OF AZERBAIJAN
ON FREE TRADE
OF SEPTEMBER 30, 1992**

(Moscow, December 30, 1992)

Authorized representatives of the Russian Federation and the Republic of Azerbaijan, have concluded this Protocol on the following.

2. 本议定书应持续有效，直至根据第1条的规定签署新的议定书俄罗斯联邦政府与阿塞拜疆政府关于自由贸易协定，自1992年9月30日起。

于1992年11月26日在莫斯科城签署，一式两份。每份均用俄语和阿塞拜疆语写成。两份文本具有同等效力。

(签字)

附件2

自由贸易例外议定书关于俄罗斯联邦政府与阿塞拜疆共和国政府就1992年9月30日自由贸易协定之自由贸易制度例外

(莫斯科，1992年12月30日)

俄罗斯联邦和阿塞拜疆共和国的授权代表，已就以下内容签署了本议定书。

Article 1

The Parties have agreed not to apply in 1993 export duties on goods, included in the list to the Protocol on realization of the Trade and Economic Cooperation Agreement between the Government of the Russian Federation and the Government of the Republic of Azerbaijan, as 1993 (Annex 3 to this Protocol) within the limits provided in this list.

Additional exceptions from the application of exports duties, as well as mutually agreed placing of additional advantages in mutual trade will be formed by separate protocols.

Article 2

The Parties have agreed not to apply customs export and import duties in mutual trade till February 1, 1993.

Article 3

- 1. This Protocol shall be integral part of the Agreement between the Government of the Russian Federation and the Government of the Republic of Azerbaijan on Free Trade, as of September 30, 1992, and shall come into force after the date of signing.
- 2. This Protocol shall not cease the Protocol with the same heading as of November 26, 1992, and is addition to it.

Done in the city of Moscow on December 30, 1992, in two originals. Each is in the Russian and Azerbaijani languages. And both of the texts shall be equally valid.

(Signatures)

Annex 3

PROTOCOL
ON AMENDMENTS AND ADDITIONS
TO THE PROTOCOL ON EXCEPTIONS TO FREE TRADE REGIME
OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE RUSSIAN
FEDERATION AND THE GOVERNMENT OF THE REPUBLIC OF AZERBAIJAN
ON FREE TRADE AS OF SEPTEMBER 30, 1992,
SIGNED ON NOVEMBER 26, 1992

(Baku, November 29, 2000)

The Government of the Russian Federation and the Government of the Republic of Azerbaijan, hereafter referred to as the Parties,

taking into account that since the signing of Agreement between the Government of the Russian Federation and the Government of the Republic of Azerbaijan on Free Trade, as of

条款 1

缔约方同意不予1993年对列入俄罗斯联邦政府和阿塞拜疆共和国政府之间贸易和经济合作协定实现议定书的商品清单中的商品征收出口关税，作为1993年（本议定书附件3）在本清单规定的范围内。

从出口关税的适用中增加的例外，以及相互贸易中相互商定的额外优惠的安排，将由单独的议定书形成。

条款 2

缔约方同意在相互贸易中，直至1993年2月1日不适用海关出口和进口关税。

条款 3

- 1. 本议定书应成为俄罗斯联邦政府与阿塞拜疆共和国政府关于自由贸易的协定的一部分，自1992年9月30日起，并在签署之日起生效。
- 2. 本议定书不终止1992年11月26日签订的同标题议定书，而是对其补充。

1992年12月30日于莫斯科签署，共两份原件。每份均用俄语和阿塞拜疆语书写。两种文本具有同等效力。

(签字)

附件3

关于修订和补充俄罗斯联邦政府与阿塞拜疆共和国政府1992年9月30日签订的关于自由贸易协定中自由贸易例外议定书的议定书（1992年11月26日签署）

(巴库，2000年11月29日)

俄罗斯联邦政府和阿塞拜疆共和国政府，以下简称缔约方，

考虑到自俄罗斯联邦政府与阿塞拜疆共和国政府签署自由贸易协定以来，截至

September 30, 1992, hereinafter referred to as the Agreement, and the Protocol as of November 26, 1992, to the Agreement, hereinafter referred to as the Protocol, structural changes have occurred in national economies as well as in the legislation of the state Parties on tariff and nontariff regulation of foreign economic activity,

taking guidance from the provisions of the Agreement on the Establishment of the Free Trade Area as of April 15, 1994, and the Protocol on Amendments and Additions to the Agreement on the Establishment of the Free Trade Area of April 15, 1994, signed on April 2, 1999,

have agreed as follows:

Article 1

To introduce to the Protocol to the Agreement the following amendments:

Article 1 shall be added by the Paragraph 3 of the following substance:

“3) goods imported into the customs territory of the Russian Federation from the Republic of Azerbaijan, as specified in Annex No.1, and goods imported into the customs territory of the Republic of Azerbaijan from the Russian Federation, as specified in Annex No.2 to this Protocol, as well as the goods within the purview of the states Parties’ legislation on licensing and quotas of import of goods (works, services) effective at the moment of customs declaration of the commodities.

The Parties shall notify each other about the introduction of exceptions to free trade regime of goods, as specified in Annexes No.1 and No.2 to this Protocol, not later than two months prior to its introduction”;

in Paragraph 1 of Article 2 the words “during the export; export” shall be replaced by the words “during the export and/or import; exported and/or imported”;

Paragraph 2 of Article 4 shall be deleted.

Article 2

Protocol on exceptions to free trade regime to the Agreement between the Government of the Russian Federation and the Government of the Republic of Azerbaijan on Free Trade, as of September 30, 1992, signed on December 30, 1992, shall cease to have effect.

Article 3

This Protocol shall come into force from the date of the last notification about the Parties having performed the inter-state procedures required for the Agreement to become effective, and shall be an inseparable part of the Agreement between the Government of the Russian Federation and the Government of the Republic of Azerbaijan on Free Trade, as of September 30, 1992, signed on December 30, 1992.

Made at the city of Baku on November 29, 2000 in two copies, each in the Russian and Azerbaijani languages, both texts being of equal force.

(Signatures)

Annex No.1
to the Protocol on Amendments
and Additions to the Protocol on the Exceptions
to Free Trade Regime to the Agreement between
the Government of the Russian Federation and
the Government of the Republic of Azerbaijan

1992年9月30日，以下简称《协定》，以及1992年11月26日的《议定书》， 缔约方国家在外经济活动关税和非关税规制立法方面， 以及国家经济结构方面均发生了变化，

根据1994年4月15日生效的自由贸易区建立协定以及1999年4月2日签署的关于自由贸易区建立协定修订和补充的议定书（1994年4月15日）的规定，

双方达成协议如下：

第1条

为议定书协定引入以下修正： 第1条应增加以下内容：

3) 从阿塞拜疆共和国进口到俄罗斯联邦海关领土的商品（附件1中规定）， 以及根据本议定书附件2从俄罗斯联邦进口到阿塞拜疆共和国海关领土的商品， 以及缔约国关于商品（作品、服务）进口许可证和配额的有效立法范围内的商品， 在商品海关申报时适用。

缔约方应就引入附件1和附件2中规定的商品自由贸易制度的例外情况相互通知， 且在例外情况引入前不迟于两个月。”

在《俄罗斯联邦政府与阿塞拜疆共和国政府关于自由贸易协定》第2条的第1段中，“during the export; export”应替换为“during the export and/or import; exported and/or imported”；

《俄罗斯联邦政府与阿塞拜疆共和国政府关于自由贸易协定》第4条的第2段应予删除。

第2条

《俄罗斯联邦政府与阿塞拜疆共和国政府关于自由贸易协定》所附的《自由贸易例外议定书》， 自1992年9月30日签署， 1992年12月30日生效， 应停止生效。

第3条

本议定书自缔约方完成协定生效所需国家间程序后的最后一次通知之日起生效， 并成为《俄罗斯联邦政府与阿塞拜疆共和国政府关于自由贸易协定》自1992年9月30日签署， 1992年12月30日生效不可分割的一部分。

于巴库市于2000年11月29日签署， 一式两份， 每份以俄语和阿塞拜疆语书写， 两份文本具有同等效力。

(签字)

关于修订和补充关于自由贸易例外制度的
议定书的议定书附件1， 该议定书是俄罗斯
联邦政府与阿塞拜疆共和国政府之间关于
自由贸易的协定附件

on Free Trade as of September 30, 1992, signed on
November 26, 1992,
as of November 29, 2000

关于自由贸易自1992年9月30日起生效，于1992年
11月26日签署，自2000年11月29日起生效

LIST OF GOODS,
IMPORTED INTO THE CUSTOMS TERRITORY OF THE RUSSIAN FEDERATION
FROM THE REPUBLIC OF AZERBAIJAN AND SUBJECT TO EXCEPTION
FROM THE FREE TRADE REGIME ON GOODS, WHICH FORMATION IS ENVISAGED BY
PARAGRAPH 1 OF ARTICLE 1 OF THE AGREEMENT BETWEEN
THE GOVERNMENT OF THE RUSSIAN FEDERATION AND
THE GOVERNMENT OF THE REPUBLIC OF AZERBAIJAN
ON FREE TRADE AS OF SEPTEMBER 30, 1992.

CIS HS Code	Name of goods
1701 99 100	White sugar
2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80% or higher; ethyl alcohol and other spirits, denatured, of any strength
2208 90 910	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80%; spirits, liqueurs and other spirituous beverages:
2208 90 990	- 2 liters and less - more than 2 liters
2402	Cigars, cigars with clipped ends, cigarillos, and cigarettes of tobacco and its substitutes

(Signatures)

Annex No.2
to the Protocol on Amendments
and Additions to the Protocol on the Exceptions
to Free Trade Regime to the Agreement between
the Government of the Russian Federation and
the Government of the Republic of Azerbaijan
on Free Trade as of September 30, 1992, signed on
November 26, 1992,
as of November 29, 2000

LIST OF GOODS,
IMPORTED INTO THE CUSTOMS TERRITORY OF THE REPUBLIC OF AZERBAIJAN
FROM THE RUSSIAN FEDERATION AND SUBJECT TO EXCEPTION FROM THE FREE TRADE REGIME
ON GOODS, WHICH FORMATION IS ENVISAGED BY
PARAGRAPH 1 OF ARTICLE 1 OF THE AGREEMENT BETWEEN
THE GOVERNMENT OF THE RUSSIAN FEDERATION AND
THE GOVERNMENT OF THE REPUBLIC OF AZERBAIJAN

商品清单，从阿塞拜疆共和国进口到俄罗斯联邦海关领土的商品，这些
商品根据俄罗斯联邦政府与阿塞拜疆共和国政府之间关于自由贸易的协定第
1条第1段所设想，自1992年9月30日起免于自由贸易制度

CISHS编码	商品名称
1701 99 100	白糖 未变性乙醇，体积酒精含量为80%或更高；任何浓度的变性乙醇和其他烈酒 未变性乙醇，体积酒精含量低于80%；烈酒、利口酒和其他烈性饮料：
2208 90 990 - 2升及以下 - 超过2升	2402 雪茄、剪端雪茄、小雪茄和烟草及其替代品的香烟

(签字)

关于修订和补充关于自由贸易例外制度的
议定书的议定书附件2，该议定书是俄罗斯联
邦政府与阿塞拜疆共和国政府之间关于自由贸
易的协定附件，自1992年9月30日起生效，于
1992年11月26日签署，自2000年11月29日起
生效

阿塞拜疆共和国海关领土从俄罗斯联邦进口的商品清单，这些商品根据俄罗斯联邦政府与阿塞拜疆共和国政府之间关于自由贸易的协定第1条第1段的规定，免于自由贸易制度

ON FREE TRADE AS OF SEPTEMBER 30, 1992.

关于自由贸易的协议，自1992年9月30日起生效。

CIS HS Code	Name of goods
2203	Malted beer
2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80% or higher; ethyl alcohol and other spirits, denatured, of any strength
2208 90 910	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80%; spirits, liqueurs and other spirituous beverages:
2208 90 990	- 2 liters and less
	- more than 2 liters
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes

(Signatures)

CISHS编码	商品名称
2203	麦芽啤酒
2207	未变性乙醇
2208 90 910	按数量计不低于80%；乙醇和其他烈酒、变性酒，任何强度
2208 90 990	80度以下未变性乙醇
	体积含量小于80%；烈酒、利口酒和其他烈性饮料：
	- 2升及以下
	- 超过2升
2402	雪茄、简尼、小雪茄和香烟，的烟草或烟草替代品的

(签字)