

Have agreed as follows:

Article 1

Objectives

1. The Parties shall establish a free trade area on substantially all their bilateral trade in a transitional period ending on 31 December 2006, in accordance with the provisions of this Agreement and in conformity with Article XXIV of the GATT 1994 and the other multilateral agreements on trade in goods annexed to the Agreement establishing WTO.
2. The objectives of this Agreement are:
 - (a) to promote through the expansion of mutual trade the harmonious development of economic relations between the Parties and thus to foster in the Parties the advance of economic activity, the improvement of living and employment conditions, and financial stability;
 - (b) to provide fair conditions of competition for trade between the Parties;
 - (c) to contribute by the removal of barriers to trade, to the harmonious development and expansion of world trade.

CHAPTER I: PRODUCT COVERAGE

Article 2

Scope

The provisions of this Chapter shall apply to products listed in Chapters 1 to 24 of the Harmonized Commodity Description and Coding System and the products listed in Annex I of this Agreement (hereinafter referred to as "agricultural products") and products listed in Chapters 25 to 97 of the Harmonized Commodity Description and Coding System with the exception of the products listed in Annex I of this Agreement (hereinafter referred to as "industrial products") originating in the Parties.

Article 3

Basic Duties

1. In trade between the Parties covered by this Agreement, the Parties shall apply their respective Customs Tariffs and other regulations concerning classification of goods for imports into them.
2. For each product the basic duty to which the successive reductions set out in this Agreement are to be applied shall be the Most Favoured Nation rate of duty in force on the date of entry into force of this Agreement.
3. If, after entry into force of this Agreement, any tariff reduction is applied on an *erga omnes* basis, in particular reductions resulting from the tariff negotiations in the WTO or accession of Bosnia and Herzegovina to the WTO, such reduced duties shall replace the basic duty referred to in paragraph 2 of this Article as from the date when such reductions are applied.

协议如下:

第一条

目标

1. 缔约方应根据本协定规定, 在截至2006年12月31日的过渡期内, 建立自由贸易区, 涵盖其双边贸易的大部分商品, 并符合本协定规定, 以及1994年关税及贸易总协定第二十四条和建立世界贸易组织的协定所附的其他关于货物贸易的多边协定。
2. 本协定的目标是:
 - (a) 通过扩大相互贸易促进缔约方之间经济关系的和谐发展, 从而促进缔约方经济活动的进步、生活和工作条件的改善以及金融稳定;
 - (b) 为缔约方之间的贸易提供公平的竞争条件;
 - (c) 通过消除贸易壁垒, 促进世界贸易的和谐发展与扩张。

章节一: 产品范围

第2条

范围

本章的规定适用于协调制度第1章至第24章中列出的产品以及本协定附件一中所列的产品(以下简称“农产品”)和协调制度第25章至第97章中列出的、但除外于本协定附件一所列产品的产品(以下简称“工业品”), 这些产品来源于缔约方。

第3条

基本关税

1. 在本协定所涵盖的缔约方之间的贸易中, 缔约方应将其各自的海关税及其他有关商品分类的进口法规适用于进口至其境内的商品。
2. 对于本协定中规定应适用的逐次减让的基本关税, 每一产品的该基本关税应为在本协定生效日期生效的最惠国关税。
3. 若本协定生效后, 对任何基本关税适用一体适用原则, 特别是在世界贸易组织的关税谈判或波斯尼亚和黑塞哥维那加入世界贸易组织所导致的减让关税, 则此类减让关税应自减让适用之日起取代本条第2款所述的基本关税。

4. The reduced duties calculated in accordance with paragraph 3 of this Article shall be applied rounded to the first decimal place.
5. The Parties shall communicate to each other their respective basic duties.

Article 4

Customs Duties On Imports, Charges Having Equivalent Effect And
Import Duties Of A Fiscal Nature

1. The Parties shall not introduce new customs duties on imports, charges having an effect equivalent to customs duties on imports and import duties of a fiscal nature in trade between them.
2. For industrial products defined in Article 2 of this Agreement, customs duties on imports applicable in the Republic of Turkey to products originating in Bosnia and Herzegovina shall be abolished upon the date of entry into force of this Agreement.
3. For agricultural products defined in Article 2 of this Agreement, customs duties on imports applicable in the Republic of Turkey to products originating in Bosnia and Herzegovina shall be abolished upon the date of entry into force of this Agreement, except for the products listed in Annex II to this Agreement.
4. Customs duties on imports, charges having equivalent effect and import duties of a fiscal nature applicable in Bosnia and Herzegovina on the date of entry into force of this Agreement to products originating in the Republic of Turkey shall be progressively reduced in accordance with the following timetable:

- | | |
|---------------------|--|
| - on 1 January 2003 | - to 65% of their value; |
| - on 1 January 2004 | - to 50% of their value; |
| - on 1 January 2005 | - to 35% of their value; |
| - on 1 January 2006 | - to 15% of their value; |
| - on 1 January 2007 | - the remaining duties shall be abolished. |

Article 5

Customs Duties On Exports, Charges Having Equivalent Effect And
Export Duties Of A Fiscal Nature

1. The Parties shall not introduce new customs duties on exports, charges having equivalent effect and export duties of a fiscal nature in trade between them.
2. The Parties shall abolish all customs duties on exports, charges having equivalent effect and export duties of a fiscal nature upon the date of entry into force of this Agreement.

Article 6

Quantitative Restrictions And Measures Having Equivalent Effect

1. The Parties shall not introduce new quantitative restrictions on imports and exports or measures having equivalent effect in trade between them.

4. 根据本条第3款计算出的减让关税应四舍五入至小数点后一位。
5. 缔约方应相互通报其各自的基本关税。

第4条

进口关税、具有同等效力的费用和财政性质的进口关税

1. 缔约方不得在相互之间的贸易中引入新的进口关税、具有同等效力的费用以及财政性质的进口关税。
2. 对于本协定第2条中定义的工业品，自本协定生效之日起，土耳其共和国对原产于波斯尼亚和黑塞哥维那的产品适用的进口关税应予废除。
3. 根据本协定第2条定义的农产品，自本协定生效之日起，土耳其共和国对原产于波斯尼亚和黑塞哥维那的产品适用的进口关税应予取消，但本协定附件II中列出的产品除外。
4. 自本协定生效之日起，波斯尼亚和黑塞哥维那对原产于土耳其共和国的产品适用的进口关税、具有同等效力的费用以及财政性质的进口关税，应按照以下时间表逐步减少：

- | | |
|---------------------------|---------------------------|
| - 于2003年1月1日 - 减至其价值的65%； | - 于2004年1月1日 - 减至其价值的50%； |
| - 于2005年1月1日 - 减至其价值的35%； | - 于2006年1月1日 - 减至其价值的15%； |
| - 于2007年1月1日 - 剩余关税应予取消。 | |

第5条

出口关税、具有同等效力的费用和财政性质的出口关税

1. 缔约方不得在相互之间的贸易中引入新的出口关税、具有同等效力的费用和财政性质的出口关税。
2. 缔约方应在本协定生效之日起废除所有出口关税、具有同等效力的费用和财政性质的出口关税。

第六条

数量限制和具有同等效力的措施

1. 缔约方不得对彼此之间的进口和出口引入新的数量限制或具有同等效力的贸易措施。

2. All quantitative restrictions on imports and exports and measures having equivalent effect shall be abolished upon the date of entry into force of this Agreement.

Article 7

Elimination Of Technical Barriers To Trade

1. The rights and obligations of the Parties relating to technical regulations or standards and related measures shall be governed by the WTO Agreement on Technical Barriers to Trade.
2. The Parties shall co-operate and exchange information in the field of conformity assessment, standardisation, metrology and accreditation with the aim of reducing and/or eliminating technical barriers to trade.
3. Each Party, upon request of the other Party, shall provide information on particular individual cases of technical norms, standards and related measures.
4. To eliminate technical barriers and effectively implement this Agreement, the Parties shall conclude an agreement on mutual recognition of test reports, certificates of conformity and other documents directly or indirectly related to conformity assessment of the products which are the subject of trade between the Parties.

Article 8

Agricultural Policy

1. Without prejudice to the concessions granted under Article 4 of this Agreement, the provisions of this Chapter shall not restrict in any way the pursuance of the respective agricultural policies of the Parties or the taking of any measures under such policies, including the implementation of the results of the Uruguay Round agreements.
2. The Parties shall notify to the Joint Committee changes in their respective agricultural policies pursued or measures applied which may affect the conditions of trade in agricultural products between them. On the request of a Party, prompt consultations shall be held to examine the situation.

Article 9

Specific Safeguards

Notwithstanding other provisions of this Agreement, and in particular Article 22, given the particular sensitivity of the agricultural market, if imports of products originating in one of the Parties, which are the subject of concessions granted under this Agreement cause serious disturbance to the market or to its domestic regulatory mechanisms in the other Party, both Parties shall enter into consultations immediately to find an appropriate solution. Pending such solution, the Party concerned may take appropriate measures in accordance with the provisions of the GATT and the other relevant WTO agreements.

Article 10

Sanitary And Phytosanitary Measures

1. The Parties shall apply their regulations in veterinary, phytosanitary and sanitary matters, in particular in the exchange of information on infectious animal diseases, quarantine diseases, plant pests and weed, taking into account the WTO Agreement on the Application of Sanitary and Phytosanitary Measures.

2. 所有进口和出口的数量限制以及具有同等效力的措施，应在本协定生效之日起废除。

第7条

技术性贸易壁垒的消除

1. 缔约方在技术法规或标准及相关措施方面的权利和义务应受技术性贸易壁垒协定的约束。
2. 缔约方应就合格评定、标准化、计量学和认可领域进行合作和信息交换，以减少和/或消除技术性贸易壁垒。
3. 任何一方在另一方请求时，应提供有关技术规范、标准及相关措施的具体个别案例的信息。
4. 为消除技术性贸易壁垒并有效实施本协定，缔约方应就相互承认测试报告、合格证书及其他与缔约方之间贸易的产品合格评定直接或间接相关的文件达成协议。

第8条

农业政策

- 1.在不损害本协定第4条所给予的让步的情况下，本章的规定不得以任何方式限制缔约方各自农业政策的实施或根据此类政策采取任何措施，包括实施乌拉圭回合协定的成果。
- 2.缔约方应将各自所 **pursued** 或采取的农业政策的变化或措施通知联合委员会，这些变化或措施可能影响其之间农产品贸易的条件。在一方的要求下，应立即进行磋商以审议情况。

第9条

特定保障措施

尽管本协定有其他规定，特别是在第22条中，鉴于农产品市场的特殊性，如果来自缔约方之一的产品进口，这些产品是根据本协定授予的让步而进口的，并且这些进口对另一方的市场或其国内监管机制造成严重干扰，则缔约双方应立即进行磋商以找到适当的解决方案。在找到该解决方案之前，有关缔约方可以根据关税及贸易总协定和其他相关世界贸易组织协定的规定采取适当措施。

Article 10

卫生与植物卫生措施

1. 缔约方应当在其兽医、植物卫生和卫生事务中适用其法规，特别是在交换关于传染性动物疾病、检疫疾病、植物害虫和杂草的信息方面，并应考虑到卫生与植物卫生措施应用协定。

2. The Parties shall apply their regulations in veterinary, phytosanitary and sanitary matters in a non-discriminatory fashion and shall not introduce any new measures that have the effect of unduly obstructing trade.
3. The veterinary-sanitary measures and the work of the veterinary services will be in accordance with the International Office of Epizootics and the Codex Alimentarius.
4. The phytosanitary measures and the work of the plant protection services will be in accordance with the International Plant Protection Convention.
5. The Parties shall exchange the information on sanitary and phytosanitary protection of animals, plants and products.

CHAPTER II: GENERAL PROVISIONS

Article 11

Rules Of Origin And Co-Operation Between The Customs Administrations

1. The Parties agree to apply the harmonized European preferential rules of origin in the mutual trade including all existing and further amendments thereto.
2. Protocol 1 to this Agreement (hereinafter "Protocol 1") lays down the rules of origin and related methods of administrative co-operation.
3. The Parties shall take appropriate measures, including regular reviews by the Joint Committee and arrangements for administrative co-operation, to ensure that the provisions of Protocol 1 of this Agreement are effectively and harmoniously applied, and to reduce, as far as possible, the formalities imposed on trade, and to achieve mutually satisfactory solutions to any difficulties arising from the operation of those provisions.

Article 12

Internal Taxation

1. The Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products originating in the Parties.
2. Products exported to the territory of one of the Parties may not benefit from repayment of internal taxes in excess of the amount of direct or indirect taxes imposed on them.

Article 13

General Exceptions

This Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants; the protection of national treasures possessing artistic, historic or archaeological value; the protection of intellectual, industrial and commercial property; the rules relating to gold and silver, or the protection of environment or the conservation of exhaustible natural resources, if such measures are made effective in conjunction with restrictions on domestic

2. 缔约方应当以非歧视的方式在其兽医、植物卫生和卫生事务中适用其法规，并且不得引入任何具有不当阻碍贸易效果的新措施。
3. 兽医卫生措施和兽医服务的工作将符合国际兽疫局和食品法典。
4. 植物卫生措施和植物保护服务的工作将符合国际植物保护公约。
5. 缔约方应交换有关动物、植物和产品的卫生和植物卫生保护信息。

第二章：一般规定

第十一条

原产地规则与海关当局之间的合作

1. 缔约方同意在包括所有现有及进一步修订的相互贸易中适用协调的欧洲优惠原产地规则。
2. 本协定第1号议定书（以下简称“第1号议定书”）规定了原产地规则及相关的行政合作方法。
3. 缔约方应采取适当措施，包括由联合委员会进行定期审查和安排行政合作，以确保本协定第1号议定书的各项规定得到有效和协调地适用，并尽可能减少贸易程序，并就因适用这些规定而产生的任何困难达成互惠的解决方案。

第十二条

内部税收

1. 缔约方应避免采取任何具有内部财政性质的措施或做法，无论直接或间接地，在缔约方原产产品之间建立歧视。
2. 出口到缔约方领土之一的产品不得享受超过对其征收的直接或间接税的内部税偿还。

第13条

一般例外

本协定不应排除基于公共道德、公共政策或公共安全的进口、出口或转运货物的禁止或限制；保护人类、动物或植物的健康和生命；保护具有艺术、历史或考古价值的国家宝藏；保护知识产权、工业产权和商业产权；与黄金和白银相关的规则；或保护环境或保护不可再生自然资源，如果这些措施与对国内产品的限制同时实施。