

FREE TRADE AGREEMENT BETWEEN THE REPUBLIC OF SLOVENIA AND BOSNIA AND HERZEGOVINA

The Republic of Slovenia and Bosnia and Herzegovina (hereinafter "the Parties"),

Reaffirming their firm commitment to pluralistic democracy based on the rule of law, human rights and fundamental freedoms;

Recalling their intention to participate actively in the process of economic integration in Europe as an important dimension of the stability on the European continent and expressing their preparedness to co-operate in seeking ways and means to strengthen this process;

Reaffirming their commitment to the principles of a market economy, which constitutes the basis for their relations;

Considering the importance of the links existing between the Parties, their desire to strengthen those links and to further extend the relations established previously, in particular through the Agreement on Economic Co-operation between the Republic of Slovenia and Bosnia and Herzegovina signed on 7 November 1997, which entered into force on 22 November 1999;

Convinced that this Agreement will create a new climate for economic relations between the Parties and above all for the development of trade and investment;

Resolved to eliminate progressively the obstacles to substantially all their mutual trade, in accordance with the provisions of the General Agreement on Tariffs and Trade 1994 (hereinafter "GATT 1994") and the Agreement establishing the World Trade Organisation (hereinafter "WTO"), Bosnia and Herzegovina having objective to become a member of the WTO;

Considering that no provision of this Agreement may be interpreted as exempting the Parties from their obligations under other international agreements;

Firmly convinced that this Agreement will foster the intensification of mutually beneficial trade relations between the Parties and contribute to the process of integration in Europe;

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 2004, in accordance with the provisions of this Agreement and in conformity with Article XXIV of the GATT 1994 and the WTO.

斯洛文尼亚共和国与波斯尼亚和黑塞哥维那自由贸易协定

斯洛文尼亚共和国和波斯尼亚和黑塞哥维那（以下简称“缔约方”），

重申其对基于法治、人权和基本自由的多元民主的坚定承诺；

回顾其积极参与欧洲经济一体化进程的意愿，将其视为欧洲大陆稳定的重要维度，并表示其准备合作寻求加强此进程的方式和手段；

重申其对市场经济原则的承诺，该原则构成了其关系的基础；

考虑到缔约方之间存在的联系的重要性，其加强这些联系的愿望，以及进一步扩展先前建立的关系，特别是在1997年11月7日签署的斯洛文尼亚共和国与波斯尼亚和黑塞哥维那经济合作协定（该协定于1999年11月22日生效）；

相信本协议将为一方之间的经济关系创造新的氛围，尤其为贸易和投资的发展；

决心根据1994年关税及贸易总协定（以下简称“GATT 1994”）和建立世界贸易组织的协定（以下简称“WTO”）的规定，逐步消除其相互贸易的障碍，波斯尼亚和黑塞哥维那旨在成为WTO成员；

考虑到本协议的任何规定均不得解释为免除一方在其他国际协议下的义务；

坚信本协议将促进一方之间互利贸易关系的发展，并有助于欧洲一体化进程；

达成协议如下：

第一条 目
 的

1. 缔约方应于过渡期截至2004年12月31日，根据本协议的规定，并符合GATT 1994第XXIV条和世界贸易组织的有关规定，建立自由贸易区，涵盖其几乎所有双边贸易。

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 (hereinafter referred to as "agricultural products") and products listed in Chapters 25 to 97 of the Harmonized Commodity Description and Coding System (hereinafter referred to as "industrial products) originating in the Parties.

Article 3
Basic duties

- 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 1 January 2002.
- If, after 1 January 2002, any tariff reduction is applied on an erga omnes basis, in particular reductions resulting from the tariff negotiations in the WTO, such reduced duties shall replace the basic duty referred to in paragraph 1 of this Article as from the date when such reductions are applied.
- The reduced duties calculated in accordance with paragraph 2 of this Article shall be applied rounded to the first decimal place.
- 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

- 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. 本协议的宗旨是：

(a) 通过扩大相互贸易，促进缔约方之间经济关系的协调发展，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，促进世界贸易的协调发展与扩张。

第一章 产品范围

第2条范
围

本章的规定应适用于协调制度（以下简称“协调制度”）第1至24章中列出的产品（以下简称“农产品”）以及协调制度第25至97章中列出的产品（以下简称“工业品”），这些产品应起源于缔约方。

第3条 基本关
税

- 对于每种产品，本协议中规定的逐步减让应适用的基本关税应为2002年1月1日生效的最惠国关税。
- 如果在2002年1月1日之后，以对世方式适用任何关税减让，特别是在世界贸易组织的关税谈判中产生的减让，则此类减让应自减让适用的日期起取代本条第1段所述的基本关税。
- 根据本条第2段计算得出的减让应四舍五入至小数点后第一位。
- 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

- 缔约方不得对其之间的贸易中引入新的进口关税、具有与进口关税相同效力的费用以及财政性质的进口关税。

2. Customs duties on imports applicable in the Republic of Slovenia to products originating in Bosnia and Herzegovina shall be abolished on 1 January 2002.

3. Customs duties on imports, charges having equivalent effect and import duties of a fiscal nature applicable in Bosnia and Herzegovina on 1 January 2002 to products originating in the Republic of Slovenia shall be progressively reduced in accordance with the following timetable:

- | | |
|---------------------|--|
| - on 1 January 2002 | - to 70% of their value, |
| - on 1 January 2003 | - to 50% of their value, |
| - on 1 January 2004 | - to 30% of their value, |
| - on 1 January 2005 | - 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 on 1 January 2002.

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.

2. All quantitative restrictions on imports and exports and measures having equivalent effect shall be abolished on 1 January 2002.

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

2. 适用于斯洛文尼亚共和国对波斯尼亚和黑塞哥维那原产产品的进口关税应于2002年1月1日废除。

3. 波斯尼亚和黑塞哥维那的进口关税、具有同等效力的费用以及财政性质的进口关税，适用于2002年1月1日原产于斯洛文尼亚共和国的产品，应按照以下时间表逐步减少：

- | | |
|--------------|--------------|
| - 2002年1月1日 | - 减至其价值的70%， |
| - 2003年1月1日 | - 减至其价值的50%， |
| - 2004年1月1日 | - 至其价值的30%， |
| - 于2005年1月1日 | - 剩余的关税应予废除。 |

第5条

出口关税、具有同等效力的费用和财政性质的出口税

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税。

2. 缔约方应当于2002年1月1日废除所有出口关税、具有同等效力的费用和财政性质的出口税。

第6条

数量限制和具有同等效力的措施

1. 缔约方不得对其之间的进出口贸易引入新的数量限制或具有同等效力的措施。

2. 所有进出口数量限制和具有同等效力的措施应当于2002年1月1日废除。

第7条

消除技术性贸易壁垒

1. 缔约方关于技术法规或标准及相关措施的权利和义务应受技术性贸易壁垒协定的约束。

2. 缔约方应在合格评定、标准化、计量学和认可领域合作并交换信息，以减少和/或消除技术性贸易壁垒。

3. 各方应根据另一方的要求，就技术规范、标准和相关措施的具体个别案例提供信息。

4. 为消除技术壁垒并有效实施本协议，缔约方应就相互承认测试报告、合格证书及其他直接或间接与缔约方之间贸易的产品合格评定相关的文件达成协议。

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 it deems necessary.

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. 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 measures related to the veterinary and sanitary control between the Parties shall be adjusted to the relevant legislation of the European Union (hereinafter "EU").

4. The Parties shall exchange the information on sanitary and phytosanitary protection of animals, plants and products.

缔约方之间贸易的产品合格评定。

第8条 农业政策

1.在不影响根据本协议第4条授予的让步的前提下，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采取此类政策下的任何措施，包括实施乌拉圭回合协议的结果。

2.缔约方应将其各自所 pursued 或 applied 的农业政策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。应一方的要求，应立即举行磋商以审查情况。

第9条 特定保障措施

尽管本协议的其他规定，特别是第22条，鉴于农产品市场的特殊性，如果一方原产的产品，根据本协议授予的让步进口，对另一方市场或其国内监管机制造成严重扰乱，双方应立即进行磋商以找到适当解决方案。在找到解决方案之前，有关方可以采取其认为必要的适当措施。

条 10
卫生与植物卫生措施

1 . 缔约方应在兽医、植物卫生和卫生事项上适用其法规，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，并应考虑到世界贸易组织卫生与植物卫生措施应用协定。

2 . 缔约方应以非歧视方式适用其兽医、植物卫生和卫生法规，并且不得引入任何具有不当阻碍贸易效果的新措施。

3 . 有关缔约方之间兽医和卫生控制的措施应调整至欧盟的相关立法（以下简称“欧盟”）。

4 . 缔约方应当交换有关动物、植物和产品的卫生与植物卫生保护的信息。

CHAPTER II
General provisions

Article 11
Rules of origin and co-operation in customs administration

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 and Articles 3 to 8, 12, 22, 23 and 24 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 taxation in excess of the amount of direct or indirect taxation 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 of artistic, historic or archaeological value; the protection of intellectual 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 production or consumption. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Parties.

Article 14
Security exceptions

Nothing in this Agreement shall prevent a Party from taking any appropriate measure which it considers necessary:

第二章 一般规定

第1条 1
原产地规则和海关管理合作

1. 缔约方同意在相互贸易中适用协调的欧盟原产地规则，包括其所有现有和进一步修订的规则。
2. 本协议的第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，以确保第1号议定书和本协议第3条至第8条、第12条、第22条、第23条和第24条的规定得到有效和协调地执行，并尽可能减少贸易中的手续，并就因执行这些规定而产生的任何困难达成双方满意的解决方案。

第1条 2 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. 运输到缔约方领土的产品不得享受超过对其征收的直接或间接税收的内部税收偿还。

第1条3款 一般例外

本协议不应排除基于公共道德、公共政策或公共安全的理由，或为保护人类、动物或植物的健康和生命，或为保护具有艺术、历史或考古价值的国家宝藏，或为保护知识产权，或为与黄金和白银相关的规则，或为保护环境或保护不可再生自然资源的措施所进行的进口、出口或过境货物的禁止或限制；如果这些措施与对国内生产或消费的限制同时实施。然而，此类禁止或限制不应构成对缔约方之间任意歧视或伪装的贸易限制的手段。

条 1 4 安全例外

本协议的任何内容均不得阻止一方采取其认为必要的任何适当措施：

- (a) to prevent the disclosure of information contrary to its essential security interests;
- (b) for the protection of its essential security interests or for the implementation of international obligations or national policies:
 - (i) relating to the traffic in arms, ammunition and implements of war, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes, and to such traffic in other goods, materials and services as is carried on directly or indirectly for the purpose of supplying a military establishment; or
 - (ii) relating to the non proliferation of biological and chemical weapons, nuclear weapons or other nuclear explosive devices; or
 - (iii) taken in time of war or other serious international tension.

Article 15
State monopolies

1. The Parties shall adjust progressively any State monopoly of a commercial character so as to ensure that by the end of the transitional period laid down in Article 1 of this Agreement, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Parties. The Parties shall inform each other about the measures adopted to implement this objective.
2. The provisions of this Article shall apply to any body through which the competent authorities of the Parties, in law or in fact, either directly or indirectly supervise, determine or appreciably influence imports or exports between the Parties. These provisions shall likewise apply to monopolies delegated by the State to other bodies.

Article 16
Payments

1. Payments in freely convertible currencies relating to trade in goods between the Parties and the transfer of such payments to the territory of the Party where the creditor resides shall be free from any restrictions.
2. The Parties shall refrain from any exchange or administrative restrictions on the grant, repayment or acceptance of short and medium term credits to trade in goods in which a resident of a Party participates.
3. Notwithstanding the provisions of paragraph 2 of this Article, any measures concerning current payments connected with the movement of goods shall be in conformity with the conditions laid down under Article VIII of the Agreement of the International Monetary Fund and shall be applied on a non-discriminatory basis.

Article 17

- (a) 防止披露与其基本安全利益相悖的信息；(b) 保护其基本安全利益或履行国际义务或国家政策：(i) 与武器、弹药和战争器械的交易有关，前提是此类措施不影响非特定军事用途产品的竞争条件，以及直接或间接为军事设施供应而进行的其他商品、材料和服务的交易；或(ii) 与生物武器、化学武器、核武器或其他核爆炸装置的不扩散有关；或(iii) 在战争时期或其他严重国际紧张局势中采取。

条 15 国家垄断

1. 缔约方应当逐步调整任何具有商业性质的国家垄断，以确保在本协议第 1 条规定的过渡期结束时，缔约方法国民在采购和市场销售商品的条件方面不存在任何歧视。缔约方应当相互告知为实施此目标的已采取措施。
2. 本条的规定适用于缔约方法的主管当局，在法律上或事实上，直接或间接地监督、确定或显著影响缔约方法之间的进口或出口的任何机构。这些规定同样适用于由国家委托给其他机构的垄断。

条 16 支付

1. 与缔约方法之间商品贸易相关的自由兑换货币支付，以及将这些支付转移至债权人居住的缔约方法领土，应免受任何限制。
2. 缔约方应避免对向参与缔约方法一方商品贸易的短期和中期信贷的提供、偿还或接受实施任何兑换或行政限制。
3. 不论本条第2段的规定如何，涉及货物移动的经常性支付措施应符合国际货币基金组织协议第八条规定的条件，并应在非歧视性基础上适用。

条 17

Rules of competition concerning undertakings

1. The following are incompatible with the proper functioning of this Agreement insofar as they may affect trade between the Parties:

- (a) all agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition;
- (b) abuse by one or more undertakings of a dominant position in the territories of the Parties as a whole or in a substantial part thereof.

2. The provisions of paragraph 1 of this Article shall apply to the activities of all undertakings including public undertakings and undertakings to which the Parties grant special or exclusive rights. Undertakings entrusted with the operation of services of general economic interest or having the character of a revenue-producing monopoly, shall be subject to provisions of paragraph 1 of this Article insofar as the application of these provisions does not obstruct the performance, in law or in fact, of the particular public tasks assigned to them.

3. With regard to agricultural products the provisions of paragraph 1 a. of this Article shall not apply to such agreements, decisions and practices which form an integral part of a national market organisation.

4. If a Party considers that a given practice is incompatible with paragraphs 1, 2 and 3 of this Article and if such practice causes or threatens to cause serious prejudice to the interest of that Party or material injury to its domestic industry, it may take appropriate measures under the conditions and in accordance with the procedure laid down in Article 26 of this Agreement.

Article 18
State aid

1. Any aid granted by a State being Party to this Agreement or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, insofar as it may affect trade between the Parties, be incompatible with the proper functioning of this Agreement.

2. For agricultural products the provisions of paragraph 1 of this Article shall comply with the relevant WTO Agreements.

3. The Joint Committee shall, within three years from the entry into force of this Agreement, adopt the criteria on the basis of which the practices contrary to paragraph 1 of this Article shall be assessed, as well as the rules for their implementation.

4. The Parties shall ensure transparency in the area of state aid, inter alia by reporting annually to the Joint Committee on the total amount and the distribution

关于企业的竞争规则

1. 下列做法与该协议的正常运作不相容，如果它们可能影响缔约方之间的贸易：

- (a) 企业间协议、企业协会的决定以及企业间协同行为，其目的或效果是防止、限制或扭曲竞争；(b) 一个或多个企业在缔约方领土整体或其大部分领土上滥用支配地位。

2. 本条第1段的规定适用于所有企业的活动，包括公共企业和缔约方授予特殊或排他性权利的企业。承担一般经济利益服务运营任务或具有创收垄断性质的企业，应受本条第1段规定的约束，只要这些规定的适用不妨碍其在法律上或事实上履行所分配的特定公共任务。

3. 关于农产品，本条第1(a)段的规定不适用于构成国家市场组织不可分割一部分的此类协议、决定和实践。

4. 如果一方认为某项做法与本条第1、2和3段的规定不一致，并且该做法造成或威胁造成对该方利益造成严重损害或对其国内产业造成实质性损害，则该方可以在本协议第26条规定的条件和程序下采取适当措施。

第1条 8 国
家援助

1. 由本协议缔约方提供的或通过国家资源以任何形式提供的援助，如果通过偏袒某些企业或某些商品的生产而扭曲或威胁扭曲竞争，则在其可能影响缔约方之间的贸易的情况下，应与本协议的适当运作不一致。

2. 对于农产品，本条第1段的规定应符合相关的WTO协定。

3. 联合委员会应在本协议生效之日起三年内，根据评估与本条第1段的规定相悖的做法的标准，以及其实施规则，制定标准。

4. 缔约方应确保国家援助领域的透明度，包括通过向联合委员会年度报告国家援助的总额和分配情况

of the aid given and by providing to the other Party, upon request, information on aid schemes and on particular individual cases of state aid.

5. If a Party considers that a particular practice:

- is incompatible with the terms of paragraph 1 of this Article, and is not adequately dealt with under the implementing rules referred to in paragraph 3 of this Article, or
- in the absence of rules, referred to in paragraph 3 of this Article, causes or threatens to cause serious prejudice to the interest of that Party or material injury to its domestic industry,

it may take appropriate measures under the conditions of and in accordance with the provisions laid down in Article 26 of this Agreement.

6. Such appropriate measures may only be taken in conformity with the procedures and under the conditions laid down by the GATT 1994 and the WTO, and any other relevant instruments negotiated under their auspices, which are applicable between the Parties concerned.

Article 19
Public procurement

1. The Parties consider the liberalization of their respective public procurement markets as an objective of this Agreement.
2. The Parties shall progressively adjust their respective rules, conditions and practices with a view to grant suppliers of the other Party access to contract award procedures on their respective public procurement markets.
3. The Joint Committee shall examine developments related to the achievement of the objectives of this Article and may recommend practical modalities of implementing the provisions of paragraph 2 of this Article so as to ensure free access, transparency and mutual opening of their respective public procurement markets.
4. The Parties shall endeavour to accede to the relevant Agreements negotiated under the auspices of the GATT 1994 and the WTO.

Article 20
Protection of intellectual property

1. The Parties shall in accordance with their national legislation grant and ensure protection of intellectual property rights (industrial property rights and protection of copyright and related rights) to the nationals, companies and institutions of the other Party as well as to their legal successors under the same conditions applicable for the domestic nationals, companies and institutions.
2. In addition, the Parties agree to respect mutually in accordance with their national legislation the intellectual property rights (industrial property rights and protection of copyright and related rights) of their nationals, companies and

以及应另一方的要求，向另一方提供有关援助计划和特定国家援助个案的信息。

5. 如果一方认为某项做法：

- 与本条第1段的规定不符，且未在本文第3段所述的实施规则中得到充分处理，或 - 在缺乏本文第 3 段所述的实施规则的情况下，造成或威胁造成对该方利益的严重损害或对其国内产业的实质性损害，

则该方可在本协议第26条规定的条件下并依照其规定采取适当措施。

6. 采取此类适当措施必须符合1994年关税及贸易总协定和世界贸易组织以及它们主持下谈判的任何其他相关协定所规定的程序和条件，这些协定适用于有关各方之间。

第1条 4 安全例外

1. 各方认为其各自公共采购市场的自由化是本协议的目标。
2. 各方应根据各自国家立法，逐步调整其相应的规则、条件和做法，以使另一方的供应商能够进入其各自的公共采购市场进行合同授予程序。
3. 联合委员会应审查与实现本条目标相关的发展情况，并可以建议实施本条第2段规定的实际方式，以确保自由进入、透明度和相互开放其各自的公共采购市场。
4. 各方应努力加入在1994年关税及贸易总协定和世界贸易组织主持下谈判的相关协议。

Article 20
知识产权保护

1. 各方应根据其国家立法，授予并确保知识产权（工业产权以及版权和相关权利）的保护，给予另一方的国民、公司和机构，以及其法律继承人，在适用于国内国民、公司和机构相同条件下的保护。
2. 此外，缔约方同意根据其国家立法相互尊重其国民、公司及机构的知识产权（工业产权和版权及相关权利的保护），其保护标准不得低于伯尔尼公约、罗马公约和巴黎公约所规定的标准。

institutions in accordance with the standards of protection, which shall not be lower than that arising from the Bern Convention, Rome Convention and Paris Convention.

Article 21
Dumping

If a Party finds that dumping within the meaning of Article VI of the GATT 1994 is taking place in trade relations governed by this Agreement, it may take appropriate measures against that practice in accordance with the WTO Agreement on Implementation of Article VI of the GATT 1994 under the conditions and in accordance with the procedure laid down in Article 26 of this Agreement.

Article 22
General safeguards

Where any product is being imported in such increased quantities and under such conditions as to cause or threaten to cause:

- (a) serious injury to domestic producers of like or directly competitive products in the territory of the importing Party, or
- (b) serious disturbances in any related sector of the economy or difficulties which could bring about serious deterioration in the economic situation of a region,

the Party concerned may take appropriate measures under the conditions and in accordance with the procedure laid down in Article 26 of this Agreement.

Article 23
Structural adjustment

1. Exceptional measures of limited duration which derogate from the provisions of Article 4 of this Agreement, may be taken for industrial products by any of the Parties in the form of increased customs duties.
2. These measures may only concern infant industries, or certain sectors undergoing restructuring or facing serious difficulties, particularly where these difficulties produce important social problems.
3. Customs duties on imports applicable in the Party concerned to products originating in the other Party introduced in accordance with paragraphs 1 and 2 of this Article may not exceed 25 % ad valorem and shall maintain an element of preference in customs duties for products originating in the other Party. The total value of imports of the products which are subject to these measures may not exceed 15 % of total imports of industrial products from the other Party as defined in Chapter I of this Agreement, during the last year for which statistics are available.
4. These measures shall be applied for a period not exceeding the transitional period determined in paragraph 1 of Article 1 of this Agreement.

根据保护标准设立机构，其保护水平不得低于伯尔尼公约、罗马公约和巴黎公约所规定的水平。

第2条 1
反倾销

若一方发现根据1994年关税及贸易总协定第六条所定义的反倾销行为正在本协议管辖的贸易关系而发生，该方可以依照关于实施1994年关税及贸易总协定第六条的WTO协定，在本协议第26条规定的条件和程序下，对该做法采取适当措施。

第2条 2 一般保障措施

若任何产品以增加的数量和条件进口，以致造成或威胁造成：

- (a) 对进口方领土内同类或直接竞争产品的国内生产者造成严重损害，或 (b) 对任何相关经济部门造成严重扰乱，或导致地区经济状况严重恶化的困难，

有关方可以在本协议第26条规定的条件和程序下采取适当措施。

条 2 3 结构调整

临时性例外措施，如与该协议第四条的规定相背离，可由缔约方任何一方以增加关税的形式针对工业品采取。

2. 这些措施只能涉及幼稚工业，或正在经历重组或面临严重困难的特定部门，特别是当这些困难导致重要社会问题时。
3. 有关方对根据本条第1、2款原产于另一方的产品征收的进口关税不得超过25%从价，并应维持对原产于另一方的产品的关税优惠。受这些措施约束的产品进口总值不得超过本协议第一章所定义的另一方工业产品进口总值（以可供统计的最近一年为准）的15%。
4. 这些措施应适用于不超过本协议第1条第1段确定的过渡期的期限。

5. The Party concerned shall inform the other Party of any exceptional measures it intends to take and, at the request of the other Party, consultations shall be held immediately within the Joint Committee on such measures and the sectors to which they apply prior to their introduction. When taking such measures the Party concerned shall provide the Joint Committee with a schedule for the elimination of the customs duties introduced under this Article. This schedule shall provide for a phasing out of these duties starting at the latest two years after their introduction, at equal annual rates. The Joint Committee may decide on a different schedule.

Article 24
Re-export and serious shortage

Where compliance with the provisions of Articles 5 and 6 of this Agreement leads to:

- (a) re-export towards a third country against which the exporting Party maintains for the product concerned quantitative export restrictions, export duties or measures or charges having equivalent effect; or
- (b) a serious shortage, or threat thereof, of a product essential to the exporting Party;

and where the situations referred to above give rise or are likely to give rise to major difficulties for the exporting Party, that Party may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 26 of this Agreement.

Article 25
Fulfilment of obligations

1. The Parties shall take any measures required to fulfil their obligations under this Agreement. They shall ensure that the objectives set out in this Agreement are attained.

2. If a Party considers that the other Party has failed to fulfil an obligation under this Agreement, the Party concerned may take appropriate measures under the conditions and in accordance with the procedure laid down in Article 26 of this Agreement.

Article 26
Procedure for the application of safeguard measures

1. Before initiating the procedure for the application of safeguard measures set out in the following paragraphs, the Parties shall endeavour to solve any differences between them through direct consultations.

2. In the event of a Party subjecting imports of products liable to give rise to the situation referred to in Article 22 of this Agreement to an administrative procedure having as its purpose the rapid provision of information on the trade flows, it shall inform the other Party.

5. 有关方应将其打算采取的任何例外措施通知另一方，并在另一方的请求下，在本协议第1条第1段规定的过渡期内，立即在联合委员会内就此类措施及其适用的部门进行磋商。在采取此类措施时，有关方应向联合委员会提供根据本协议引入的关税的消除计划。该计划应规定这些关税的逐步取消，自其引入之日起最迟两年后开始，以相等的年度比率进行。联合委员会可以决定不同的计划。

第2条4款 再出口和严重短缺

如遵守本协议第5条和第6条的规定导致：

- (a) 向对有关产品维持数量出口限制、出口关税或具有同等效力的措施或费用的第三国再出口；或 (b) 出口方必需产品出现严重短缺或威胁；

并且上述情况给出口方造成或可能造成重大困难时，该方可在本协议第26条规定的条件和程序下采取适当措施。

第25条 履行义务

1. 缔约方应采取必要措施履行本协议项下的义务。它们应确保本协议规定的目标得以实现。

2. 如果一方认为另一方未能履行本协议项下的义务，有关方可根据本协议第26条规定的条件和程序采取适当措施。

第26条
保护措施的实施程序

1. 在启动以下段落中规定的保护措施实施程序之前，缔约方应通过直接磋商努力解决彼此之间的任何分歧。

2. 当一方将可能引发本协议第22条所述情况的产品的进口置于旨在快速提供贸易流量信息的行政程序中时，该方应通知另一方。

3. Without prejudice to paragraph 7 of this Article, a Party which considers resorting to safeguard measures shall promptly notify the other Party thereof and supply all relevant information. Consultations between the Parties shall take place without delay within the Joint Committee with a view to finding a solution acceptable to the Parties.

4. (a) With regard to Articles 21, 22 and 24 of this Agreement, the Joint Committee shall examine the case or the situation and may take any decision needed to put an end to the difficulties notified by the Party concerned. In the case of the absence of such decision within thirty days of the matter being referred to the Joint Committee, the Party concerned may adopt the measures necessary in order to remedy the situation.

(b) As regards Article 25 of this Agreement, the Party concerned may take appropriate measures after the consultations have been concluded or a period of three months has elapsed from the date of the notification to the other Party.

(c) With regard to Articles 17 and 18 of this Agreement, the Party concerned shall give the Joint Committee all the assistance required in order to examine the case and, where appropriate, eliminate the practice objected to. If the Party in question fails to put an end to the practice objected to within the period fixed by the Joint Committee, or if the Joint Committee fails to reach an agreement within thirty working days of the matter being referred to it, the Party concerned may adopt the appropriate measures to deal with the difficulties resulting from the practice in question.

5. The safeguard measures taken shall be immediately notified to the other Party. They shall be limited with regard to their extent and to their duration to what is strictly necessary in order to rectify the situation giving rise to their application and shall not be in excess of the injury caused by the practice or the difficulty in question. Priority shall be given to such measures which will least disturb the functioning of this Agreement.

6. The safeguard measures taken shall be the subject of periodic consultations within the Joint Committee with a view to their relaxation as soon as possible, or abolition when conditions no longer justify their maintenance.

7. Where exceptional circumstances requiring immediate action make prior examination impossible, the Party concerned may, in the cases of Articles 21, 22 and 24 of this Agreement, apply forthwith the provisional measures strictly necessary to remedy the situation. The measures taken shall be notified without delay and consultations between the Parties shall take place as soon as possible within the Joint Committee.

Article 27
Balance of payments difficulties

3. 不影响本条第7段的规定，认为应采取保护措施的一方应立即通知另一方并提供所有相关信息。缔约方应在联合委员会内迅速进行磋商，以寻求对缔约方均可接受的解决方案。

4. (a) 关于本协议第21条、第22条和第24条，联合委员会应当审查案件或情况，并可以作出任何必要的决定以结束有关方通知的困难。在有关事项提交联合委员会之日起三十日内未作出此类决定的情况下，有关方可以采取必要的措施以纠正情况。

(b) 关于本协议第25条，有关方在磋商结束后或通知另一方之日起三个月期满后，可以采取适当措施。

(c) 关于本协议第17条和第18条，有关方应当向联合委员会提供为审查案件和，在适当情况下，消除所反对的做法所要求的协助。如果有关方未能在联合委员会规定的期限内结束所反对的做法，或者联合委员会在有关事项提交之日起三十个工作日内未能达成协议，有关方可以采取适当措施以处理由此产生的困难。

5. 采取的保护措施应立即通知另一方。这些措施的范围和期限应限于为纠正导致其适用的情形所必需的程度，且不得超过该做法或相关问题造成的损害。应优先采取尽可能少地干扰本协议运作的措施。

6. 采取的保护措施应成为联合委员会内部定期磋商的主题，以尽快放宽或废除，当条件不再需要维持其时。

7. 当需要立即采取行动的特殊情况使得事先审查不可能时，有关方在本协议第21条、第22条和第24条的情况下，可立即采取严格必要的临时措施以纠正该情形。采取的措施应立即通知，缔约方应在联合委员会内尽快进行磋商。

第27条 国际收支困难

1. The Parties shall endeavour to avoid the imposition of restrictive measures including measures relating to imports for balance of payments difficulties.

2. Where one of the Parties is in serious balance of payments difficulties, or under imminent threat thereof, the Party concerned may, in accordance with the conditions established under the GATT 1994 and the WTO, adopt restrictive measures, including measures related to imports, which shall be of limited duration and may not go beyond what is necessary to remedy the balance of payments situation. The measures shall be progressively relaxed as balance of payments conditions improve and they shall be eliminated when conditions no longer justify their maintenance. The Party concerned shall inform the other Party forthwith of their introduction and, whenever practicable, of a time schedule for their removal.

Article 28
Evolutionary clause

1. Where a Party considers that it would be useful in the interests of the economies of the Parties to develop and deepen the relations established by this Agreement by extending them to fields not covered thereby, it shall submit a reasoned request to the other Party. The Joint Committee may examine such request and, where appropriate, may make recommendations, particularly with a view to opening negotiations.

2. Agreements resulting from the procedure referred to in paragraph 1 of this Article will be subject to ratification by the Parties in accordance with their internal legislation.

Article 29
Joint Committee

1. A Joint Committee is hereby established and shall be composed of the representatives of the Parties.

2. The implementation of this Agreement shall be supervised and administered by the Joint Committee.

3. For the purpose of the proper implementation of this Agreement, the Parties shall exchange information and, at the request of a Party, shall hold consultations within the Joint Committee. The Joint Committee shall keep under review the possibility of further removal of the obstacles to trade between the Parties.

4. The Joint Committee may take decisions in the cases provided for in this Agreement. On other matters the Joint Committee may make recommendations.

Article 30
Procedures of the Joint Committee

1. For the proper implementation of this Agreement the Joint Committee shall meet whenever necessary but at least once a year. Each Party may request that a meeting be held.

1. 缔约方应努力避免因国际收支困难而采取限制性措施，包括与进口相关的措施。

2. 当一方缔约方面临严重的国际收支困难，或面临此种威胁时，有关方可根据1994年关税及贸易总协定和世界贸易组织规定的条件，采取限制性措施，包括与进口相关的措施，这些措施应有有限期限，且不得超出弥补国际收支状况所必需的范围。当国际收支状况改善时，这些措施应逐步放宽，并在不再需要维持时予以消除。有关方应立即将措施的实施情况通知另一方，并在切实可行的情况下，通知其消除的时间表。

第2条6 发展条款

1. 当一方认为，为了促进缔约方经济利益，有必要通过将本协议规定的关系扩展到协议未涵盖的领域来发展和深化这些关系时，它应向另一方提交有理由的请求。联合委员会可以审查此类请求，并在适当情况下提出建议，特别是旨在开启谈判。

2. 根据本条第一段所述程序产生的协议将由缔约方根据其国内立法进行批准。

第2条9联合委员会

1. 设立联合委员会，由缔约方的代表组成。

2. 本协议的实施应由联合委员会进行监督和管理。

3. 为确保本协议的正确实施，缔约方应交换信息，并在一方的要求下在联合委员会内进行磋商。联合委员会应继续审议进一步消除缔约方之间贸易障碍的可能性。

4. 联合委员会可以在本协议规定的案件中作出决定。在其他事项上，联合委员会可以提出建议。

条 3 0 联合委员会的程序

1. 为确保本协议的实施，联合委员会应根据需要召开会议，但每年至少一次。每一方可以要求召开会议。

2. The Joint Committee shall act by consensus.

3. If the representative of a Party in the Joint Committee has accepted, under reservation, a decision subject to the fulfilment of internal legal requirements, the decision shall enter into force, if no later date is contained therein, on the date of the receipt of a written notification as to the fulfilment of such requirements.

4. For the purpose of this Agreement the Joint Committee shall adopt its rules of procedure which shall inter alia contain provisions for conveying meeting and for the designation of the Chair person and his/her term of office.

5. The Joint Committee may decide to set up such subcommittees and working groups as it considers necessary to assist it in accomplishing its tasks.

Article 31
Services and investments

1. The Parties recognise the growing importance of certain areas, such as services and investments. In their efforts to gradually develop and broaden their co-operation, in particular in the context of the European integration, they will co-operate with the aim of achieving a progressive liberalisation and mutual opening of markets for investments and trade in services, taking into account relevant provisions of the General Agreement on Trade in Services.

2. The Parties shall examine within the Joint Committee the possibilities to extend their relations to the fields of foreign direct investment and trade in services by separate agreements.

Article 32
Customs unions, free trade areas and frontier trade

This Agreement shall not prevent the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade to the extent that these do not negatively affect the trade regime of the Parties and in particular the provisions concerning rules of origin provided for by this Agreement.

Article 33
Annexes, protocols and amendments

1. Record of understanding and Protocol 1 to this Agreement are an integral part of it. The Joint Committee may decide to amend them in accordance with the provisions of paragraph 3 of Article 30 of this Agreement.

2. Amendments to this Agreement other than those decided upon in accordance with paragraph 4 of Article 29 of this Agreement, and which are approved by the Joint Committee, shall be submitted to the other Party for acceptance and shall enter into force if accepted by both Parties.

Article 34
Entry into force

2. 联合委员会应协商一致行事。

3. 如果联合委员会中某方的代表在保留意见的情况下接受了需满足内部法律要求的决定，则该决定在未包含更晚日期的情况下，应自收到关于满足此类要求的书面通知之日起生效。

4. 根据本协议，联合委员会应制定其议事规则，该规则应至少包含关于传达会议和指定主席及其任期的规定。

5. 联合委员会可以决定设立其认为必要的分委员会和工作组，以协助其完成其任务。

Article 31 服务和投资

1. 缔约方承认某些领域（如服务和投资）日益重要。在为逐步发展和扩大其合作，特别是在欧洲一体化的背景下所做的努力中，他们将合作，以实现投资和服务贸易的逐步自由化及市场相互开放，并考虑到服务贸易总协定的相关条款。

2. 缔约方应在联合委员会中研究通过单独协议将关系扩展到外国直接投资和服务贸易领域的可能性。

Article 32
关税同盟、自由贸易区和边境贸易

本协议不应妨碍维持或建立关税同盟、自由贸易区或边境贸易安排，只要这些安排不会对缔约方的贸易制度产生负面影响，并特别符合本协议规定的原产地规则。

Article 33
附件、议定书和修订

1. 谅解备忘录和第1号议定书为本协议的组成部分。联合委员会可以根据本协议第29条第3段的规定决定对其进行修订。

2. 除根据本协议第29条第4段的规定决定修订的之外，本协议的修订，经联合委员会批准，应提交给另一方接受，如经双方接受，则应生效。

第3条4条 生效

This Agreement shall enter into force on the first day of the month following the date when the Parties have notified each other through diplomatic channels that their respective internal requirements for the entry into force of this Agreement have been fulfilled.

Article 35
Provisional application

This Agreement shall be applied provisionally from 1 January 2002.

Article 36
Validity and denouncement

- This Agreement is concluded for an indefinite period of time.
- Each Party may denounce it through diplomatic channels by a written notification to the other Party. In such case the Agreement shall be terminated on the first day of the seventh month after the date on which the other Party received the notification.
- The Parties agreed, that in case of accession of one of the Parties to the EU, the Agreement will be terminated without any compensations for the other Party, on the day before the date of the accession to the EU, and in accordance with the procedure laid down in paragraph 2 of this Article.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized thereto, have signed this Agreement.

Done at Zenica this 3 day of October 2001 in two originals in English language.

For the Republic of Slovenia Herzegovina	For Bosnia and Azra Had_iahmetovi_, (s)
Tea Petrin, (s)	

Record Of Understanding

- Customs duties referred to in paragraph 2 of Article 4 of this Agreement concerning agricultural products include ad valorem and specific customs duties.
- The Parties agreed that inclusion of charges having equivalent effect into customs duties referred to paragraph 3 of Article 4 of this Agreement shall not be regarded as an increase of customs duties.
- The Parties agreed to conclude separate agreements on co-operation in the field of veterinary and phytosanitary matters within reasonable period of time.

本协议应自缔约方通过外交渠道互相通知其各自对本协议生效的内部要求已得到满足之日起一个月的第一天生效。

第3条5款 临时适用

本协议自2002年1月1日起临时适用。

第3条6款 效力与终止

- 本协议为无限期有效。
- 每一方可通过向另一方发出书面通知，通过外交渠道终止本协议。在这种情况下，本协议应在另一方收到通知之日起第七个月的第一个日终止。
- 各方同意，如果一方加入欧盟，本协议将在加入欧盟的日期之前终止，不向另一方提供任何补偿，并按照本条第2款规定的程序进行。

为证明本协议，以下全权代表已根据授权签署本协议。

于泽尼察于2001年10月3日签署，以英文两种文本形式。

为斯洛文尼亚共和国 黑塞哥维那	为波斯尼亚和 阿兹拉·哈德扎·哈梅托维奇，（s）
Tea Petrin, (s)	

谅解备忘录

- 本协议第4条第2段所述涉及农产品的关税包括从价关税和从量关税。
- 缔约方同意，将具有同等效力的费用纳入本协议第4条第3段所述关税，不应被视为关税的增加。
- 缔约方同意在合理期限内就兽医和植物卫生事项签署单独协议。

4. In case of the termination of the Agreement by one of the Parties on the grounds of the accession to the EU referred to paragraph 3 of Article 36 of this Agreement the termination shall take effect one day before the date of the accession of the respective Party to the EU. The Parties understand that the Agreement shall be denounced at least six months before the date of the accession of the respective Party to the EU. The other Party shall renounce any compensation vis-à-vis the enlarged EU or vis-à-vis the Party withdrawing from the Agreement.

4. 如一方根据本协议第36条第3段所述加入欧盟而终止协议，则该终止应于相应方加入欧盟之日起一天前生效。缔约方理解，该协议应在相应方加入欧盟之日起至少六个月前被通知终止。另一方应放弃就扩大后的欧盟或就退出协议的一方获得任何补偿。