

**AGREEMENT**  
**on Free Trade Between the Governments of Georgia and Armenia**

The government of Georgia and the government of Armenia further referred to as “the parties,” reaffirming their will to develop freely the economic cooperation between each other, taking into consideration the integration economic ties already existing between the Republic of Armenia and the Republic of Georgia, the correlation and mutual completion?? of the two countries’ economies;

striving to develop commercial and economic cooperation between the Republic of Armenia and the Republic of Georgia on the basis of equality and mutual benefit;

reaffirming adherence of the Republic of Armenia and the Republic of Georgia to the GATT and WTO principles;

have agreed upon the following:

**Article 1**

1. The parties shall not apply customs duties and similar fees for export and import of goods, originated from the customs territory of one of the parties and designated for the other party’s customs territory. Exclusions from this trade regime, if the parties deem it necessary, shall be put into a separate document representing an integral part of the present agreement.

For the goals of this agreement and during the term of its validity, the goods originated from the territory of one of the parties are considered the goods defined as such according to the regulations defining the origin of goods, approved by the Council of Heads of the CIS States by Resolution of 24 September 1993.

**Article 2**

Neither party shall:

impose on the other party’s goods envisaged by the present agreement direct or indirect internal taxes exceeding the corresponding taxes or duties imposed on the similar products manufactured in their own country or the products manufactured in the countries non-members of the agreement.

Impose on the import and export of goods under this agreement any special restrictions and requirements, not applied in similar conditions for the similar goods produced inside the country or originated from any other country.

Apply for storage, unloading, transportation, also for payment and bank transfer transactions connected with the goods originated from the territory of the other party the rules different from those applied in similar conditions for the goods originated from the country or from any other country.

**Article 3**

The parties shall refrain from undertaking discriminating measures in mutual trade, also from setting quantitative restrictions or equivalent measures in export and/or import of goods described in the present agreement.

The quantitative restrictions stated in this article can be set unilaterally and for a strictly defined term only.

The given restrictions shall have a specific character and shall be used only under the conditions stipulated by agreements concluded within the framework of the GATT.

A party which will apply quantitative restrictions in accordance with this article, shall, at his convenience, in advance present the other party with complete information about the reasons, forms and supposed term of application of these restrictions, after which consultations are set.

#### Article 4

In the commercial economic relationship between the Republic of Armenia and the Republic of Georgia all payments and fees shall take place according to the agreements between the authorised banks of the parties.

#### Article 5

The parties, on a regular basis, shall exchange information on:

- laws and other normative acts, connected with the economic activities, including trade and transport, investments, taxation, bank and insurance activities and other financial services as well as customs service and customs statistics.

The parties shall immediately inform each other of the changes in their national legislation, which can affect the realisation of the present agreement.

The authorised bodies of the parties agree upon the information exchange procedure.

#### Article 6

1. The parties shall try to set common customs tariffs which will be used in trade with other countries and for this purpose have agreed to carry out regular consultations.

2. The parties shall inform each other of the existing tariffs and all exclusions from them.

#### Article 7

The parties deem it inconsistent with the goals of this agreement dishonest activities and commit themselves to prevent the following methods of this, including:

- agreements between the enterprises, decisions taken by the corporations, and certain activities aiming at hindering or restricting the competition, or violating its conditions on the parties' territories.;

- activities with the help of which one or more enterprise using its dominating position restricts the competition on the whole or a considerable part of the parties' territories.

#### Article 8

While conducting tariff and non-tariff regulation of bilateral economic relations, in order to exchange statistical information and to carry out the customs procedures, the parties agree to use a common nine-bar nomenclature (TH BED) of the trade foreign economic activities, based on the description of goods and the harmonised system of the goods bar coding and the EU combined tariff statistical nomenclature. In addition, the parties, for their own purposes, if necessary, shall create the goods nomenclature different from the nine-bar standard.

The introduction of the standard trade nomenclature takes place on the basis of mutual agreements via existing missions in respective international organisations.

#### Article 9

The parties agree that adherence to the principle of free transit is the principal condition to guarantee achievement of goals of this agreement and an essential element for their inclusion into the system of international labour division and cooperation.

With regard to this, each party, except the cases, which concern the national security interests of the parties, shall guarantee within its territories the transit of goods originated from the other party's and/or any other country's customs territory and designated for the other party's or any other country's customs territory, and shall provide the exporters, importers or transporters with all means and services necessary for guaranteeing the transit under the conditions which shall not be less favourable than those provided for the same type of services and means to the exporters, importers of their own country.

2. The procedure of the exchange of cargo on the territories of the states is regulated in accordance with the agreement made on 19 May 1993 between the governments of Armenia and Georgia on the principles of transit transportation.

#### Article 10

The present agreement is not in conflict with the right of each party to take measures accepted in the international practice, which it deems necessary to undertake in order to protect its vital interests, or, which are necessary to fulfil those international agreements the member of which it is or intends to become, if these measures concern:

- information connected with the national security interests;
- trade with weapon, ammunition and military technique;
- production and research connected with the defence;
- delivery of those materials and machinery used in the nuclear industry;
- maintaining public moral and public order;
- protection of intellectual and industrial property;
- gold, silver, or any other precious stones and metals;
- protection of public health, flora and fauna, environmental protection.

#### Article 11

1. Each party shall inform the other party in time of the reasons, nature, and estimated term of introduction and validity of the state regulation measures.

2. The parties shall conduct preliminary consultations. In case of failure to reach an agreement within six months, the party, mentioned in item 1 of the present article has a right to introduce state regulation measures at its own discretion.

#### Article 12

Neither of the parties shall permit a non-sanctioned reexport of goods, to the export of which the other party, from where the goods are originated, takes state regulation measures.

The parties shall specify goods, for which a non-sanctioned reexport is banned, and shall exchange the lists of goods, for which state regulation measures are taken.

Reexport of such goods to any other country is possible only on the basis of a written agreement and under the conditions, defined by an authorised body of the country of origin of the goods.

#### Article 13

In order to conduct a coordinated export control policy towards other countries, the parties shall conduct regular consultations and take coordinated measures to create a more effective export control system.

#### Article 14

The provisions of the present agreement shall replace the provisions of the agreements previously made between the parties, if they are in conflict or are identical.

#### Article 15

Nothing in this agreement shall prevent the parties, without violating its provisions and goals, from establishing relationship with the states, which are not the parties of this agreement, also with their unions and international organisations.

#### Article 16

The disputes between the parties concerning the application and interpretation of the provisions of the present agreement shall be resolved by means of negotiations.

The parties shall try to avoid conflict situations in mutual trade.

#### Article 17

In order to elaborate recommendations aimed at realisation of the present agreement and perfection of the commercial economic cooperation between the two countries, the parties have agreed to found a Joint Commission of Georgia and Armenia.

#### Article 18

The Republic of Georgia is entitled to found its trade representations in the Republic of Armenia, and the Republic of Armenia has a right to open a trade representation in Georgia. The commercial legal status, functions and location of these trade representations shall be agreed upon by the parties additionally.

#### Article 19

Any country provided that the parties approve of it, can join the present agreement with the conditions agreed upon by the parties and the country willing to join the agreement.

#### Article 20

Amendments and additions can be made to this agreement on the basis of an agreement between the parties.

#### Article 21

The present agreement comes into force as of the date of exchange of the final written notification about the fulfilment of all intrastate formalities.

The agreement remains in force until the expiration of twelve months as of the date of the written notification by one of the parties about its intention to stop the agreement.

The provisions of this agreement, after it stopping, shall be applied for the contracts between the enterprises and organisations of both countries, concluded earlier, but not fulfilled during the validity of the agreement.

The agreement is made in Stepanavan on 14 August 1996, in two copies, each one in Georgian, Armenian, and Russian. All texts have equal force.

For interpretation of any of the articles of the present agreement, the Russian text shall be referred to.

On behalf of the Georgian Government

On behalf of the Armenian Government

## **AGREEMENT**

### **on Free Trade Between the Government of Georgia and the Government of Ukraine**

The government of Georgia and the Government of Ukraine, further referred to as “the parties,”

reaffirming their willingness to develop freely the economic cooperation;

taking into consideration the existing integration economic ties between Georgia and Ukraine,

striving to develop commercial and economic cooperation between Georgia and Ukraine on the basis of equality and mutual benefit,

recognising that free movement of goods and services requires undertaking of co-ordinated measures,

guided by the provisions of the Declaration on the Fundamentals of the Economic Relations between Georgia and Ukraine,

reaffirming the intention of Georgia and Ukraine to join the GATT,

sharing the GATT goals and principles and taking into consideration the results of the agreements and negotiations, reached within the framework of the Uruguay Multilateral Trade Negotiations Round,

have agreed upon the following:

#### Article 1

1. The parties shall not apply customs duties and similar fees for export and import of goods, originated from the customs territory of one of the parties and designated for the other party's customs territory. Exclusions from this trade regime, if the parties deem it necessary, shall be put into a separate document, which shall be an integral part of the present agreement.

For the goals of this agreement and during the term of its validity, the goods originated from the territory of one of the parties are considered the goods defined as such according to the regulations defining the origin of goods, approved by the Council of Heads of the CIS States by Resolution of 24 September 1993.

#### Article 2

Neither party shall:

impose on the other party's goods, for which the present agreement is valid, direct or indirect internal taxes exceeding the corresponding taxes or duties imposed on similar products manufactured in their country or the products manufactured in the countries non- members of the agreement.

Apply for storage, unloading, transportation, also for payment and bank transfer transactions connected with the goods originated from the territory of the other party the rules different from those applied in similar conditions for the goods originated from their own country or from any other country.

#### Article 3

The parties shall refrain from undertaking discriminating measures in mutual trade, also from setting quantitative restrictions or equivalent measures in export and/or import of goods described in the present agreement.

The quantitative restrictions stated in this article can be set unilaterally and for a strictly defined term only.

The given restrictions shall have a specific character and shall be used only under the conditions stipulated by agreements concluded within the framework of the GATT.

A party which will apply quantitative restrictions in accordance with this article, shall, at its convenience, in advance present the other party with complete information about the reasons, forms and supposed term of application of these restrictions, after which consultations are set.

#### Article 4

The parties, on a regular basis, shall exchange information on:

- laws and other normative acts, connected with the economic activities, including trade and transport, investments, taxation, bank and insurance activities and other financial services as well as customs service and customs statistics.

The parties shall immediately inform each other of the changes in their national legislation, which can affect the realisation of the present agreement.

The authorised bodies of the parties agree upon the information exchange procedure.

#### Article 5

The parties deem it inconsistent with the goals of this agreement dishonest activities and commit themselves to prevent the following methods of this, including:

- agreements between the enterprises, decisions taken by the corporations, and certain activities aiming at hindering or restricting the competition, or violating its conditions on the parties' territories;

- activities, with the help of which one or more enterprise using its dominating position restricts the competition on the whole or a considerable part of the parties' territories.

#### Article 6

While conducting tariff and non-tariff regulation of bilateral economic relations, in order to exchange statistical information and to carry out the customs procedures, the parties agree to use a common nine-bar nomenclature of the trade foreign economic activities, based on the description of goods and the harmonised system of the goods bar coding and the EU combined tariff statistical nomenclature. In addition, the parties, for their own purposes, if necessary, can introduce the goods nomenclature other than the nine-bar standard.

The introduction of the standard trade nomenclature takes place on the basis of mutual agreements via existing missions in respective international organisations.

#### Article 7

The parties agree that adherence to the principle of free transit is the principal condition to guarantee achievement of goals of this agreement and an essential element for their inclusion into the system of international labour division and cooperation.

With regard to this, each party, except the cases, concerning the national security interests of the parties, guarantees within its territories the transit of goods originated from the other party's and/or any other country's customs territory and designated for the other party's or

any other country's customs territory, and shall provide the exporters, importers or transporters with all means and services necessary for guaranteeing the transit under the conditions which shall not be less favourable than those provided for the same type of services and means to the exporters, importers and transporters of their own country.

2. The procedure of the transit of cargo on the territories of the states is regulated in accordance with international regulations on transit transportation.

#### Article 8

Nothing in this agreement shall prevent either party to take measures accepted in the international practice, which it deems necessary to undertake in order to protect its vital interests, or, which are necessary to fulfil those international agreements the member of which it is or intends to become, if these measures concern:

- information connected with the national security interests;
- sale of weapons, ammunition and military technique;
- production and research connected with the defence;
- delivery of those materials and machinery used in the nuclear industry;
- maintaining public moral and public order;
- protection of intellectual and industrial property;
- gold, silver, or any other precious stones and metals;
- protection of public health, flora and fauna, environmental protection.

#### Article 9

In order to conduct a coordinated export control policy towards other countries, the parties shall conduct regular consultations and take coordinated measures to create a more effective export control system.

#### Article 10

The provisions of the present agreement shall replace the provisions of the agreements previously made between the parties, if they are in conflict or are identical.

#### Article 11

The disputes between the parties concerning the application and interpretation of the provisions of the present agreement shall be resolved by means of negotiations.

The parties shall try to avoid conflict situations in mutual trade.

Each party guarantees effective measures for the recognition and implementation of the decisions made by the arbitrary court.

#### Article 12

In order to elaborate recommendations aimed at realisation of the present agreement and perfection of the commercial economic cooperation between the two countries, the parties have agreed to found a Joint Commission of Georgia and Ukraine.

#### Article 13

The present agreement comes into force as of the date of exchange of the final written notification about the fulfilment of all intra-state formalities.

The agreement remains in force until the expiration of twelve months after the written notification by one of the parties about its intention to stop the agreement.

The provisions of this agreement, after it stopping, are applied for the contracts between the enterprises and organisations of both countries, concluded earlier, but not fulfilled during the validity of the agreement.

The agreement is made in Tbilisi on --- 1996, in two copies, each one in Georgian, Ukrainian, and Russian. All texts have equal force.

For interpretation of any of the articles of the present agreement, the Russian text shall be referred to.

On behalf of the Georgian Government

On behalf of the Ukrainian Government

**AGREEMENT**  
**on Free Trade between the Government of Georgia and the Government of the Russian Federation**

The government of Georgia and the government of the Russian Federation, further referred to as “the parties,”  
striving to develop commercial and economic cooperation between Georgia and the Russian Federation on the basis of equality and mutual benefit,  
proceeding from each state’s sovereign right to conduct an independent foreign economic policy, guarantee fulfilment of respective international obligations and realisation of proclaimed intentions,  
willing to promote proper conditions for formation of the customs relations between the two states,

have agreed upon the following:

**Article 1**

1. The parties shall not apply customs duties and similar fees for export and import of goods, originated from the customs territory of one of the parties and designated for the other party’s customs territory. Exclusions from this trade regime, if the parties deem it necessary, shall be described in annual protocols, which shall represent an integral part of the present agreement.

2. For the goals of this agreement and during the term of its validity, the goods originated from the territory of one of the parties are considered the goods:

- a) completely manufactured on the territory of one of the parties;
- b) processed on the territory of one of the parties using raw materials, materials and spare parts of any other country, that caused the change of ownership according to the classification of goods nomenclature of the foreign economic activities, which is based on the harmonised system of description and bar coding of goods and the EU combined tariff-statistical nomenclature proceeding from the first four bars.
- c) produced using raw materials, materials and spare parts listed in item b of this article provided that their total cost does not exceed the fixed export cost of the sold goods.

Such rules of the goods origin shall be agreed by the parties in a separate document, which shall be an integral part of the present agreement.

**Article 2**

Neither party shall:  
impose on the other party’s goods for which the present agreement is valid direct or indirect internal taxes exceeding the corresponding taxes or duties imposed on similar products manufactured in the country or the products manufactured in the countries non- members of the agreement.

Impose on the import and export of goods under this agreement any special restrictions and requirements, not applied in similar conditions for the similar goods produced inside the country or originated from any other country.

Apply for storage, unloading, transportation, also for payment and bank transfer transactions connected with the goods originated from the territory of the other party the rules different from those applied in similar conditions for the goods originated from their own country or from any other country.

Permit a non-sanctioned reexport of the goods, to the export of which the party, from whose territory the goods are originated, applies measures of tariff and non-tariff regulation.

#### Article 3.

1. The parties shall refrain from undertaking discriminating measures in mutual trade, also from setting quantitative restrictions or equivalent measures in export and import of goods described in the present agreement.

2. The quantitative restrictions stated in item 1 of this article can be set unilaterally and for a strictly defined term only:

during the acute deficit of these goods in the home market;  
before the stabilisation of the taxation balance - during an acute tax deficit,  
if one of the goods is imported to the territory of one of the parties in such a big amount, or under such circumstances that cause damage, or threaten to cause damage to the local entrepreneurs producing similar or competitive goods,  
in order to implement the measures stipulated under article 4 of this agreement.

3. The quantitative measures mentioned in item 1 of the present article can be established by the parties' mutual consent and shall be described in annual protocols, mentioned in article 1 of the present agreement.

4. A party applying quantitative restrictions in accordance with item 2 of this article, shall, at his convenience, in advance present the other party with full information about the reasons, forms and supposed term of application of these restrictions, after which consultations are set.

5. The parties strive to resolve by means of consultations all questions, that arise in connection with the application of quantitative restrictions mentioned in item 2 of the present article.

#### Article 4

Neither party shall permit the reexport of goods, to the export of which the other party, from whose territory the goods are originated, uses tariff and/or non-tariff regulation measures.

The parties shall exchange the lists of goods, to which tariff and non-tariff regulation measures are applied. Reexport of such goods to other countries can be carried out only on the basis of a written agreement and under the conditions defined by an authorised body of the country of origin. In case of failure to fulfil this provision, the party whose interests are violated is authorised to introduce unilaterally the measures regulating the export of goods to the territory of the party, which allowed the non-sanctioned reexport. In addition, the revenue in hard currency received from such reexport is reversed to the country of origin of the goods. The parties shall, in addition, annually agree upon the conditions, nomenclature and volume of products allowed for reexport.

For the purpose of this article, reexport can be considered export of the goods originated from the territory of one party by the other party from the territory of the latter with the purpose of its export to some other country.

#### Article 5

The parties shall exchange information on a regular basis in connection with the customs issues, including customs statistics. Authorised bodies of the parties shall draw up an appropriate document on the procedure of such exchange of information.

#### Article 6

The parties shall take measures to bring closer the tariff rates used during commercial operations with other countries and with this purpose shall conduct regular consultations.

The parties shall provide each other with the information about all exceptions from the customs rates acting in their countries.

#### Article 7

The parties, in accordance with the acting legislation in their respective countries, shall promote the expansion and deepening of the equal and mutually beneficial economic and technological cooperation between the economic entities having different levels and forms, establishment of joint ventures and international companies, including with participation of other countries, with the purpose of utilisation of their potential in order to form a more efficient common economic space.

#### Article 8

The parties deem it inconsistent with the goals of this agreement dishonest activities and commit themselves to prevent the following methods of this, and not only:

- agreements between the enterprises, decisions taken by the corporations, and certain activities aiming at hindering or restricting the competition, or violating its conditions on the parties' territories.;

- activities, with the help of which one or more enterprise using its dominating position restricts the competition on the whole or a considerable part of the parties' territories.

#### Article 9

The parties shall not apply the state subsidy or any other form of the state support towards the enterprises, if such state aid causes the disintegration of normal economic conditions on the territory of the other country.

#### Article 10

While conducting tariff and non-tariff regulation of bilateral economic relations, in order to exchange statistical information and to carry out the customs procedures, the parties agreed to use a common nine-bar nomenclature of the trade foreign economic activities, based on the description of goods and the harmonised system of the goods bar coding and the EU combined tariff statistical nomenclature. In addition, the parties, for their own purposes, if necessary, can introduce the goods nomenclature other than the nine-bar standard.

The introduction of the standard trade nomenclature takes place on the basis of mutual agreements via existing missions in respective international organisations until the Republic of Georgia declares about the independent conduct of the standard.

#### Article 11

The parties agree that adherence to the principle of free transit is the principal condition to guarantee achievement of goals of this agreement and an essential element for their inclusion into the system of international labour division and cooperation.

With regard to this, each party, except in the cases, concerning the national security interests of the parties, shall guarantee within its territories the transit of goods originated from the other party's and/or any other country's customs territory and designated for the other party's or any other country's customs territory, and shall provide the exporters, importers or transporters with all means and services necessary for guaranteeing the transit under the conditions which shall not be less favourable than those provided for the same type of services and means to the exporters, importers and deliverers of their own country or any other country.

The parties do not require the payment for delivery, unloading, storage and transportation services in any other country's currency.

#### Article 12

Nothing in this agreement prevents the parties from undertaking activities, which it deems necessary to undertake in order to protect its vital interests, or, which are necessary to fulfil those international agreements the member of which it is or intends to become, if these measures concern:

- information relating to the national security interests;
- sale of weapons, ammunition and military technique;
- production and research connected with the defence;
- delivery of those materials and machinery used in the nuclear industry;
- maintaining public moral and public order;
- protection of intellectual and industrial property;
- gold, silver, or any other precious stones and metals;
- protection of public health, flora and fauna, environmental protection.

#### Article 13

In order to develop trade between the two countries the parties shall give an opportunity to each other to participate in commercial exhibitions and fairs held in one of the countries.

#### Article 14

The present agreement shall not refer to other agreements previously concluded by the parties with any other country.

#### Article 15

Nothing under this agreement shall prevent the parties from establishing relations with any other country or their corporations and international organisations, if it is not in conflict with the goals and terms of the present agreement. Although, the parties shall conduct consultations if the mentioned relations concern one of the party's interests proceeding from the present agreement.

#### Article 16

Disputes raised concerning the interpretation and application of the provisions of the present agreement shall be resolved by means of negotiations.

Article 17

In order to elaborate recommendations aimed at realisation of the present agreement and perfection of the commercial economic cooperation between the two countries, the parties have agreed to found a Joint Russian-Georgian Commission.

Article 18

The parties have agreed that the Republic of Georgia has a right to found its trade representation in the Russian Federation, and the Russian Federation is entitled to found its trade representation in Georgia. The legal status, functions and location of representations shall be defined in a different agreement.

Article 19

In case of approval from the parties, any country can join the present agreement with the conditions agreed upon between the parties and the country.

Article 20

The protocol on the exclusions from the free trade regime is considered an integral part of the present agreement. The parties commit themselves to sign the protocol by 15 March 1994.

Article 21

The present agreement can be amended or changed as a result of the preliminary negotiations between the parties. The mentioned amendments and additions shall be presented in a written form.

Article 22

The present agreement comes into force as of the date of exchange of the final written notification about the fulfilment of all intrastate formalities and remains in force until the expiration of twelve months as of the date of receiving the written notification of one of the parties stating its intention to stop the agreement.

The agreement is made in Tbilisi on -- February 1996, in two copies, each one in Georgian and Russian. Both texts have equal force.

Georgian Government represented by

Russian Federation Government represented by

**AGREEMENT**  
**on Free Trade between the Government of Georgia and the Government of Uzbekistan**

The government of Georgia and the government of Uzbekistan, further referred to as “the parties,”

striving to develop commercial and economic cooperation between Georgia and the Republic of Uzbekistan on the basis of equality and mutual benefit,

proceeding from each country’s sovereign right to conduct an independent foreign economic policy,

intending to promote the growth of economic potential of the Republic of Georgia and the Republic of Uzbekistan on the basis of promoting mutual benefit, cooperatives and cooperation,

reaffirming their intention to develop free economic cooperation,

recognising that free movement of goods and services requires undertaking coordinated measures,

reaffirming the intention of Georgia and Uzbekistan to adhere to the principles of the GATT and WTO,

have agreed upon the following:

**Article 1**

1. The parties shall grant each other the free trade regimes.

The parties shall not apply customs duties and similar fees for export and import of goods, originated from the customs territory of one of the parties and designated for the other party’s customs territory. Exclusions from this trade regime, if the parties deem it necessary, shall be described in separate documents representing an integral part of the present agreement.

2. In accordance with item 1 of the present article, the parties shall annually elaborate and agree upon the general list of exclusions from the free trade regime, also methods of application of these exclusions.

3. For the goals of this agreement and during the term of its validity, the goods originated from the territory of one of the parties are considered the goods defined as such according to the regulations defining the country of origin, approved by the Council of Heads of the CIS States by Resolution of 24 September 1993.

**Article 2**

Neither party shall:

impose on the other party’s goods for which the present agreement is valid direct or indirect internal taxes exceeding the corresponding taxes or duties imposed on similar products manufactured in the country or the products manufactured in the countries non- members of the agreement.

Apply for storage, unloading, transportation, also for payment and bank transfer transactions connected with the goods originated from the territory of the other party the rules different from those applied in similar conditions for the goods originated from their own country or from any other country.

### Article 3

The parties shall refrain from undertaking discriminating measures in mutual trade, also from setting quantitative restrictions or equivalent measures in export and/or import of goods described in the present agreement.

The quantitative restrictions stated in this article can be set unilaterally and for a strictly defined term only.

The given restrictions shall have a specific character and shall be used only under the conditions stipulated by agreements concluded within the framework of the GATT/WTO.

A party which will apply quantitative restrictions in accordance with this article, shall, at his convenience, in advance present to the other party full information about the reasons, forms and supposed term of application of these restrictions, after which consultations are set.

### Article 4

The present agreement is not in conflict with the parties' right to undertake unilaterally the state regulation measures accepted in the international practice, which it deems necessary to undertake in order to protect its vital interests, or, which are necessary to fulfil those international agreements the member of which it is or intends to become, if these measures concern:

- protection of people's lives and health;
- environmental protection, flora and fauna protection;
- maintaining public order and public moral;
- guaranteeing the national security;
- sale of weapons, ammunition and military technique;
- delivery of those materials and machinery used in the nuclear industry and utilisation of radioactive waste;
- sale of gold, silver or any other precious stones and metals;
- storage of irreversible natural resources;
- deficit??? in the settlement balance;
- restriction of the export production, the home market price of which is lower than the world market price due to the state support programmes;
- protection of intellectual and industrial property;
- protection of national treasure;
- measures taken during the war transactions or any other emergencies in international relations;
- activities to fulfil the obligations based on the UN Charter for the purpose of the world peace and security protection.

The party using such measures in accordance with this article, shall, at its convenience, in advance present the other party with full information about the reasons, forms and supposed term of application of such restrictions, after which the consultations shall be set.

### Article 5

All kinds of accounting and settlement according to the trade economic cooperation between the parties shall be agreed upon under an inter-bank agreement.

### Article 6

The parties, on a regular basis, shall exchange information relating to the internal regulation of foreign economic relations, including trade, investment, taxation, banking and insurance activities and other financial services, transport and customs issues, including customs statistics regarding the parties.

The parties shall immediately inform each other of the changes in their national legislation, which can affect the implementation of the present agreement.

The authorised bodies of the parties agree upon the procedure of such information exchange.

The provisions of the present article:

shall not be interpreted as if they obliged the competent bodies of either party to present the information, transference of which is not allowed according to the legislation or the usual administrative practice of one of the parties;

shall not present the information, which can disclose a trade, entrepreneurship, commercial or professional secret.

#### Article 7

The parties deem it inconsistent with the goals of this agreement dishonest activities and commit themselves to prevent the following methods of this, including:

- agreements between the enterprises, decisions taken by the corporations, and certain activities aiming at hindering or restricting the competition, or violating its conditions on the parties' territories.;

- activities, with the help of which one or more enterprise using its dominating position restricts the competition on the whole or a considerable part of the parties' territories.

#### Article 8

While conducting tariff and non-tariff regulation of bilateral economic relations, in order to exchange statistical information and to carry out the customs procedures, the parties agreed to use a common nine-bar nomenclature of the trade foreign economic activities, based on the description of goods and the harmonised system of the goods coding and the EU combined tariff statistical nomenclature. In addition, the parties, for their own purposes, if necessary, can use the goods nomenclature other than the nine-bar standard.

The introduction of the standard trade nomenclature takes place on the basis of mutual agreements via existing missions in respective international organisations.

#### Article 9

The parties agree that adherence to the principle of free transit is the principal condition to guarantee achievement of goals of this agreement and an essential element for their inclusion into the system of international labour division and cooperation.

With regard to this, each party, except in the cases concerning the national security interests of the parties, shall guarantee within its territories the transit of goods originated from the other party's and/or any other country's customs territory and designated for the other party's or any other country's customs territory, and shall provide the exporters, importers or transporters with all means and services necessary for guaranteeing the transit under the conditions which shall not be less favourable than those provided for the same type of services and means to the exporters, importers and transporters of their own country.

The procedure of the transit of cargo on the territories of the states is regulated in accordance with the international regulations on transit transportation.

#### Article 10

Each party shall not permit the reexport of goods, towards the export of which the other party, from whose territory the goods are originated, applies state regulation measures. The parties shall exchange the lists of goods, the non-sanctioned reexport of which is banned and the lists of goods, for which state regulation measures are applied.

Reexport of such goods to other countries can be carried out only on the basis of a written agreement and under the condition which is defined by an authorised body of the country of origin.

#### Article 11

In order to conduct a coordinated export control policy towards other countries, the parties shall conduct regular consultations and take coordinated measures to create a more effective export control system.

#### Article 12

Nothing in this agreement prevents the parties from establishing relations with other countries, fulfilling the obligations committed by them in accordance with some other international agreement participants of which they are or may become, if these obligations are not in conflict with the provisions and goals of the present agreement.

#### Article 13

The disputes between the parties concerning the application and interpretation of the provisions of the present agreement shall be resolved by means of negotiations.

The parties shall try to avoid conflict situations in mutual trade.

The parties shall define that all claims and disputes arisen during the interpretation and fulfilment of the commercial contracts and deals between the industrial entities of both countries, if their resolution is not reached after consultations and negotiations, and if other provisions are not provided for, shall be within the competence of arbitrary courts (permanent or *ad hoc*) of the parties which shall be established on the Parties' territories or on the territory of any other country, determined by the parties having signed the contract.

Each party guarantees that effective means exist on its territory for recognition and implementation of the arbitration decisions.

#### Article 14

In order to elaborate recommendations aimed at realisation of the present agreement and perfection of the commercial economic cooperation between the two countries, the parties have agreed to found a Joint Commission of Georgia and Uzbekistan.

#### Article 15

The parties agree that each country is entitled to open trade economic representations on the territory of the other party in accordance with the state legislation of the respective country.

#### Article 16

If necessary, amendments and additions may be made to the present agreement on the basis of a mutual agreement of the parties.

#### Article 17

The present agreement comes into force as of the date of exchange of the final written notification about the fulfilment of all intra-state formalities.

The agreement remains in force until the expiration of twelve months from the date of receiving a written notification of one of the parties stating its intention to stop the agreement.

The provisions of this agreement, after its stopping, are applied for the contracts between the enterprises and organisations of both countries, concluded earlier, but not fulfilled during the validity of the agreement (within the term of five years).

The agreement is made in Tbilisi on 4 September 1995, in two copies, each one in Georgian, Uzbek, and Russian. All texts have equal force.

For interpretation of any of the articles of the present agreement, the Russian text shall be referred to.

On behalf of the Georgian Government

On behalf of the Uzbek Government

**PROTOCOL**  
**on Exclusions from the Free Trade Regime Established by the Agreement of September**  
**1995 on Free Trade Between the Governments of the Republic of Georgia and the**  
**Republic of Uzbekistan**

The government of the Republic of Georgia and the government of the Republic of Uzbekistan, further referred to as “the parties,”

have agreed upon the following:

article 1

The exclusions stipulated by the agreement made on 4 September 1995 between the governments of the Republic of Georgia and the Republic of Uzbekistan on Free Trade (further referred to as the agreement on free trade) cover:

1. The goods envisaged by the law of Georgia on Export Tariffs and the Law on Quoting and Licensing of Export and Import of Goods, acting at the moment of customs procedures during the import/export of goods from/to the Republic of Uzbekistan to/from the Republic of Georgia (at the moment of signing this protocol export tariffs and export and import non-tariff regulation restrictions, established by Resolution No 475 of the Cabinet of Ministers of Georgia of 10 August 1995 are acting).

2. The goods under the Law of Uzbekistan on Export Tariffs, and the Law on Goods (labour and service) Export and Import Quoting and Licensing acting at the moment of the customs procedures during the import/export of goods from/to the Republic of Georgia to/from the Republic of Uzbekistan at the moment of signing this protocol, export tariffs and export and import non-tariff regulation restrictions are acting, established by Resolution No 287 issued by the Cabinet of Ministers on 25 July 1995, Appendices 1,3,4,5,6,7,8,9).

The contracting parties shall immediately inform each other of any changes in their legislation relating to the above-mentioned issues.

Article 2

With regard to the goods for which export tariff and non-tariff regulations are valid in accordance with article 1 of this protocol, the parties grant each other the most favoured state's regime, regarding:

customs duties and fees, setting such taxes and fees connected with the export of goods, including that connected with customs procedures, transit, delivery and unloading;  
taxes and any fees, directly or indirectly connected with the export goods;  
sale, purchase, transportation, distribution and use in the home market;  
licensing;

Article 3

Provisions stipulated under article 2 of the present protocol shall not be applied in connection with advantages and benefits, granted by a party:

in order to establish customs unions of other countries or to create a free trade zone, or as a result of establishing such a union or a zone;

in accordance with international agreements for developing countries;

in order to simplify marine trade for the neighbouring countries.

Article 4

The present protocol is an integral part of the agreement on free trade.

Article 5

The present protocol comes into force as of the date when the agreement on free trade becomes valid and is in force until a new protocol stipulated by article 1 of the agreement on free trade comes into force.

The protocol is made in Tashkent on 4 September 1995 in two copies, each one in Georgian, Uzbek and Russian. All texts have equal force.

In order to interpret the protocol the Russian text is referred to.

On behalf of the Georgian Government

On behalf of the Uzbek Government