

# FREE TRADE AGREEMENT BETWEEN UKRAINE AND REPUBLIC OF BELARUS

## Annex

Information on the regional trade agreement

### FREE TRADE AGREEMENT

**Between the Government of Ukraine and the Government of the Republic of Belarus**

#### I. Background information on the agreement.

1.

Membership: Ukraine, the Republic of Belarus.

DATE OF SIGNATURE: December 17, 1992.

RATIFICATION: March 19, 1999.

ENTRY INTO FORCE: November 30, 2006 (as amended by the Protocol of October 18, 2005).

2. Type of agreement – free trade agreement.

3. Scope.

The Agreement covers goods (any movable property, including heat, electric and other types of energy) originating from the customs territory of one Contracting Party and destined for the customs territory of another Contracting Party.

4. Trade data.

#### COMMODITY STRUCTURE OF EXPORT from Ukraine to the Republic of Belarus in 2007 (according to the State Customs Service of Ukraine)

(ths. USD)

HS Code	Product description	2006	2007	Share %	2007/2006	
					+,-	%
<b>Total</b>		<b>1222689</b>	<b>1561270</b>	<b>100,0</b>	<b>338581</b>	<b>127,7</b>
0202-2403	<b>Agricultural products</b>	<b>232482</b>	<b>286411</b>	<b>18,3</b>	<b>53929</b>	<b>123,2</b>
	including					
0202	Meat of bovine animals, frozen	19468	337	0,0	-19131	1,7
0405	Butter and other fats and oils derived from milk; dairy spreads	1685	691	0,0	-994	41,0
0406	Cheese and curd	2750	1002	0,1	-1748	36,4
1001	Wheat and meslin	6561	87	0,0	-6474	1,3
1005	Maize (corn)	26473	38415	2,5	11942	145,1
1512	Sunflower-seed, safflower or cotton-seed oil and fractions thereof	29876	47215	3,0	17339	158,0
1516	Animal or vegetable fats and oils and their fractions	2953	1968	0,1	-985	66,6
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form	3776	4573	0,3	797	121,1
1704	Sugar confectionery (including white chocolate), not containing cocoa	4556	6057	0,4	1501	132,9
1806	Chocolate and other food preparations containing cocoa	5176	8693	0,6	3517	167,9
1905	Bread and other bakers' wares	3696	4615	0,3	919	124,9
2009	Fruit juices (including grape must) or vegetable juices	15441	10552	0,7	-4889	68,3
2101	Extracts, essences and concentrates, of coffee, tea or mate and preparations with a basis of these products or with a basis of coffee, tea or mate	2968	4873	0,3	1905	164,2

	Sauces and preparations thereof; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard	4825	5141	0,3	316	106,5
2202	Waters, including mineral waters and aerated waters	8969	16545	1,1	7576	184,5
2203	Beer made from malt	1309	7482	0,5	6173	571,6
2204	Wine of fresh grapes, including fortified wines	1404	1579	0,1	175	112,5
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol	1381	1473	0,1	92	106,7
2306	Oil-cake and other solid residues	37448	61466	3,9	24018	164,1
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes	2641	132	0,0	-2509	5,0
2403	Other manufactured tobacco and manufactured tobacco substitutes	18313	29641	1,9	11328	161,9
2801-4017	<b>Products of the chemical industry</b>	<b>142437</b>	<b>182275</b>	<b>11,7</b>	<b>39838</b>	<b>128,0</b>
	<i>including:</i>					
2803	Carbon (carbon blacks and other forms of carbon)	3779	12054	0,8	8275	319,0
2817	Zinc oxide; zinc peroxide	7375	2343	0,2	-5032	31,8
2836	Carbonates; peroxocarbonates (percarbonates)	13408	12138	0,8	-1270	90,5
2902	Cyclic hydrocarbons	13222	1596	0,1	-11626	12,1
3004	Medicaments consisting of mixed or products for therapeutic or prophylactic uses	13980	16872	1,1	2892	120,7
3206	Other colouring matter	4442	4616	0,3	174	103,9
3401	Soap; organic surface-active products and preparations for use as soap	2689	2772	0,2	83	103,1
3902	Polymers of propylene or of their olefins, in primary form	7222	3702	0,2	-3520	51,3
3903	Polymers of styrene, in primary forms	7483	12483	0,8	5000	166,8
3904	Polymers of vinyl chloride or of their halogenated olefins, in primary forms	3870	5194	0,3	1324	134,2
3917	Tubes, pipes and hoses, and fittings thereof (for example, joints, elbows, flanges), of plastics	13449	18915	1,2	5466	140,6
3923	Articles for the conveyance or packing of goods, of plastics; stoppers, lids, caps and other closures, of plastics	3411	6510	0,4	3099	190,9
4009	Tubes, pipes and hoses, of vulcanised rubber other than hard rubber, with or without their fittings	1334	2058	0,1	724	154,3
4011	New pneumatic tyres, of rubber	1236	4247	0,3	3011	343,6
4014	Hygienic or pharmaceutical articles (including teats), of vulcanised rubber other than hard rubber	1199	273	0,0	-926	22,8
4016	Other articles of vulcanised rubber other than hard rubber	3735	6497	0,4	2762	173,9
7201-8113	<b>Base metals and articles of base metal</b>	<b>373059</b>	<b>519952</b>	<b>33,3</b>	<b>146893</b>	<b>139,4</b>
	<i>including:</i>					
7202	Ferro-alloys	21559	32725	2,1	11166	151,8
7208	Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, hot rolled	96955	101369	6,5	4414	104,6
7209	Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, cold-rolled	18383	12347	0,8	-6036	67,2
7210	Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated	5293	5233	0,3	-60	98,9
7213	Bars and rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel	12733	16862	1,1	4129	132,4
7214	Other bars and rods of iron and non-alloy steel, not further worked than forged	31969	38014	2,4	6045	118,9
7216	Angles, shapes and sections of iron or non-alloy steel	22904	56355	3,6	33451	246,0
7225	Flat-rolled products of other alloy steel, of a width of 600 mm or more	14199	18365	1,2	4166	129,3
7228	Other bars and rods of other alloy steel; angles, shapes and sections of other alloy steel	11456	37455	2,4	25999	326,9
7302	Railway or tramway track construction material of iron or	14247		1,0	1826	112,8

	steel		16073			
7304	Tubes, pipes and hollow profiles, seamless, of iron (other cast iron) or steel	33734	48755	3,1	15021	144,5
7306	Other tubes, pipes and hollow profiles, of iron and steel	25388	46058	3,0	20670	181,4
7318	Screws, bolts, nuts, coach screws, screw hooks, rivets, cotters, cotter pins, washers and similar articles, of iron or steel	1719	5668	0,4	3949	329,7
7326	Other articles of iron or steel	2429	2566	0,2	137	105,6
7407	Copper bars, rods and profiles	1973	1476	0,1	-497	74,8
7409	Copper plates, sheets and strip, of a thickness exceeding 0.15 mm	4801	6326	0,4	1525	131,8
7411	Copper tubes and pipes	2300	3655	0,2	1355	158,9
7608	Aluminium tubes and pipes	1278	502	0,0	-776	39,3
7612	Aluminium casks, drums, cans, boxes and similar containers, for any material, of a capacity not exceeding 300 l	1287	1150	0,1	-137	89,4

8201-8908	<b>Products of machinery-producing industry</b>	<b>277353</b>	<b>342343</b>	<b>21,9</b>	<b>64990</b>	<b>123,4</b>
	<i>including:</i>					
8309	Stoppers, caps and lids	2442	2389	0,2	-53	97,8
	Parts suitable for use solely or principally with the engines of spark-ignition reciprocating or rotary internal combustion piston engines or compression-ignition internal combustion piston engines (diesel or semi-diesel engines)	5210	7139	0,5	1929	137,0
8411	Turbo-jets, turbo-propellers and other gas turbines	12174	7029	0,5	-5145	57,7
8412	Other motors and engines	5749	6389	0,4	640	111,1
	Pumps for liquids, whether or not fitted with a measuring device: liquid elevators	7537	9799	0,6	2262	130,0
8414	Air or vacuum pumps, air or other gas compressors and fans	3096	3501	0,2	405	113,1
8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other	8925	8533	0,5	-392	95,6
8419	Machinery, plant or laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature	4701	10342	0,7	5641	220,0
	Parts suitable for use solely or principally with pulley tackles and hoists other than skip hoist; winches and capstans; jacks; ships' derricks; cranes of various types; fork-lift trucks; other lifting, handling, loading or unloading machinery; self-propelled bulldozers, angledozers, graders; other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery	4317	13080	0,8	8763	303,0
8431	Other agricultural, horticultural, forestry, poultry-keeping or bee-keeping machinery	2434	3334	0,2	900	137,0
8481	Taps, cocks, valves and similar appliances for pipes, boiler shells, tanks, vats or the like	6051	7480	0,5	1429	123,6
8482	Valve or roller bearings	7178	11475	0,7	4297	159,9
8483	Transmission shafts and cranks	8353	10738	0,7	2385	128,6
8504	Electrical transformers, static converters, inductors and throttles	8576	11853	0,8	3277	138,2
8507	Electric accumulators, including separators therefor	4271	11540	0,7	7269	270,2
8537	Boards, panels, consoles, desks, cabinets and other bases and numerical control apparatus	5973	2905	0,2	-3068	48,6
8536	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits	2787	4766	0,3	1979	171,0
8606	Railway or tramway goods vans and wagons, not self-propelled	26866	42557	2,7	15691	158,4
8607	Parts of railway or tramway locomotives or rolling-stock	24478	30048	1,9	5570	122,8
8608	Railway or tramway track fixtures and fittings	7748	4203	0,3	-3545	54,2
	Parts and accessories of tractors; motor vehicles for the transport of ten or more persons; motor cars and other motor vehicles principally designed for the transport of persons; motor vehicles for the transport of goods; special purpose motor vehicles	30544	33288	2,1	2744	109,0
8708	Parts of balloons and dirigibles; gliders, hang gliders and other non-powered aircraft; other aircraft; spacecraft and suborbital and spacecraft launch vehicles	984	117	0,0	-867	11,9

2501-2621	<b>Mineral products</b>	<b>23882</b>	<b>45798</b>	<b>2,9</b>	<b>21916</b>	<b>191,8</b>
	<i>including:</i>					
2501	Salt and pure sodium chloride	1484	1574	0,1	90	106,1
2507	Kaolin and other kaolinic clays	1793	2044	0,1	251	114,0
2508	Other clays	4544	5643	0,4	1099	124,2
2521	Limestone flux; limestone and other calcareous stone, of a kind used for the manufacture of lime or cement	3900	5918	0,4	2018	151,7
2523	Portland cement, aluminous cement, slag cement, supersulphate cement and similar hydraulic cements	3920	12199	0,8	8279	311,2
2701-2716	<b>Energy products</b>	<b>51933</b>	<b>31043</b>	<b>2,0</b>	<b>-20890</b>	<b>59,8</b>
	<i>including:</i>					
2710	Petroleum oils and oils obtained from bituminous minerals	917	2334	0,1	1417	254,5
2716	Electrical energy	48630	21752	1,4	-26878	44,7
4401-4911	<b>Wood and articles of wood</b>	<b>37732</b>	<b>52766</b>	<b>3,4</b>	<b>15034</b>	<b>139,8</b>
	<i>including:</i>					
4410	Particle board and similar board of wood or other ligneous materials	13430	15497	1,0	2067	115,4
4811	Paper, paperboard, cellulose wadding and webs of cellulose fibres	2630	6566	0,4	3936	249,7
4814	Wallpaper and similar wall coverings	7132	8951	0,6	1819	125,5
4819	Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibres	4696	8907	0,6	4211	189,7
4101-4304-5001-6704	<b>Softgoods</b>	<b>41621</b>	<b>51110</b>	<b>3,3</b>	<b>9489</b>	<b>122,8</b>
5902	Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon	23681	27775	1,8	4094	117,3
4104	Leather of bovine or equine animals, without hair on	3616	4808	0,3	1192	133,0
5111	Woven fabrics of carded wool or of carded fine animal hair	2317	1714	0,1	-603	74,0
6406	Parts of footwear	2703	3985	0,3	1282	147,4
6801-7020	<b>Articles of stone, plaster, cement, asbestos, mica or similar materials</b>	<b>18735</b>	<b>27177</b>	<b>1,7</b>	<b>8442</b>	<b>145,1</b>
9001-9114	<b>Instruments and apparatus</b>	<b>10221</b>	<b>10637</b>	<b>0,7</b>	<b>416</b>	<b>104,1</b>
	<b>Miscellaneous</b>	<b>13234</b>	<b>11758</b>	<b>0,8</b>	<b>-1476</b>	<b>88,8</b>

**COMMODITY STRUCTURE OF IMPORT**  
**from the Republic of Belarus to Ukraine in 2007**  
 (according to the State Customs Service of Ukraine)

(ths. USD)

HS Code	Product description	2006	2007	Share in %	2007/2006	
					+,-	%
<b>Total</b>		<b>1255185</b>	<b>1443793</b>	<b>100,0</b>	<b>188608</b>	<b>115,0</b>
2701-2716	<b>Energy products</b>	<b>475857</b>	<b>398549</b>	<b>27,6</b>	<b>-77308</b>	<b>83,8</b>
	<i>including:</i>					
2707	Oils and other products of the distillation of high temperature coal tar	4922	3036	0,2	-1886	61,7
2710	Petroleum oils and oils obtained from bituminous minerals	417024	330495	22,9	-86529	79,3
2711	Petroleum gases and other gaseous hydrocarbons	4432	2241	0,2	-2191	50,6
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals	43179	62703	4,3	19524	145,2
2801-4017	<b>Products of chemical and allied industries</b>	<b>150861</b>	<b>216177</b>	<b>15,0</b>	<b>65316</b>	<b>143,3</b>
	<i>including:</i>					
3004	Medicaments consisting of mixed or products for therapeutic or prophylactic uses	4341	4916	0,3	575	113,2
3104	Mineral or chemical fertilisers, potassic	32024	55601	3,9	23577	173,6
3105	Mineral or chemical fertilisers containing two or four of the fertilising elements nitrogen, phosphorus and potassium	12638	12884	0,9	246	101,9
3304	Beauty or make-up preparations and preparations for the care of the skin	3509	4400	0,3	891	125,4
3901	Polymers of ethylene, in primary forms	37205	45082	3,1	7877	121,2
3907	Polyacetals, other polyethers and epoxide resins, in primary forms	6365	9942	0,7	3577	156,2
3923	Polyacetals, other polyethers and epoxide resins, in primary forms	3757	7714	0,5	3957	205,3
4011	New pneumatic tyres, of rubber	30937	45868	3,2	14931	148,3
4401-4911	<b>Wood and articles of wood</b>	<b>36963</b>	<b>51734</b>	<b>3,6</b>	<b>14771</b>	<b>140,0</b>
	<i>including:</i>					
4411	Fibreboard of wood or other ligneous materials	5717	4288	0,3	-1429	75,0
4418	Builders' joinery and carpentry of wood	8524	18966	1,3	10442	222,5
4802	Uncoated paper and paperboard, of a kind used for writing, printing or other graphic purposes	2400	884	0,1	-1516	36,8
4805	Other uncoated paper and paperboard	663	6336	0,4	5673	955,7
4814	Wallpaper and similar wall coverings; window transparencies of paper	12452	11177	0,8	-1275	89,8
4101-5001-6704	<b>Softgoods</b>	<b>68666</b>	<b>75343</b>	<b>5,2</b>	<b>6677</b>	<b>109,7</b>
	<i>including:</i>					
5501	Synthetic filament tow	4581	3738	0,3	-843	81,6
5503	Synthetic staple fibres	14928	13635	0,9	-1293	91,3
5902	Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon	11863	12045	0,8	182	101,5
6115	Panty hose, tights, stockings, socks and other hosiery	7764	14176	1,0	6412	182,6
6212	Brassieres, girdles, corsets, braces, suspenders,	4600	6932	0,5	2332	150,7

	garters and similar articles and parts thereof					
6401-5	Footwear	898	910	0,1	12	101,3
7201-8113	<b>Base metals and articles of base metal</b>	<b>68751</b>	<b>82691</b>	<b>5,7</b>	<b>13940</b>	<b>120,3</b>
	<i>including:</i>					
7207	Semi-finished products of iron or non-alloy steel	21418	23774	1,6	2356	111,0
7217	Wire of iron or non-alloy steel	2837	3175	0,2	338	111,9
7224	Other alloy steel in ingots or other primary forms	3094	4114	0,3	1020	133,0
7228	Other bars and rods of other alloy steel	4805	6716	0,5	1911	139,8
	Stranded wire, ropes, cables, plaited bands, slings and the like, of iron or steel, not electrically insulated					
7312		4058	4488	0,3	430	110,6
7321	Stoves, ranges, grates, cookers	9464	11816	0,8	2352	124,9
7610	Aluminium structures and parts of structures	3530	1791	0,1	-1739	50,7
8201-8908	<b>Products of machinery-producing industry</b>	<b>356006</b>	<b>489270</b>	<b>33,9</b>	<b>133264</b>	<b>137,4</b>
	<i>including:</i>					
	Compression-ignition internal combustion piston engines					
8408		6727	9281	0,6	2554	138,0
	Pumps for liquids					
8413		2998	5343	0,4	2345	178,2
	Air or vacuum pumps, air or other gas compressors and fans					
8414		6479	6999	0,5	520	108,0
	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other					
8418		35762	44520	3,1	8758	124,5
	Other lifting, handling, loading or unloading machinery					
8428		12566	18983	1,3	6417	151,1
8482	Valve or roller bearings	5927	8536	0,6	2609	144,0
8528	Reception apparatus for television	2056	797	0,1	-1259	38,8
	Boards, panels, consoles, desks, cabinets and other bases and numerical control apparatus					
8537		2273	8121	0,6	5848	357,3
	Insulated wire, cable and other insulated electric conductors					
8544		2393	3841	0,3	1448	160,5
8701	Tractors	100176	150839	10,4	50663	150,6
	Motor vehicles for the transport of ten or more persons, including the driver					
8702		6573	6797	0,5	224	103,4
8704	Motor vehicles for the transport of goods	75874	92531	6,4	16657	122,0
8705	Special purpose motor vehicles	5595	12517	0,9	6922	223,7
8708	Parts and accessories of the motor vehicles	19410	25070	1,7	5660	129,2
8712	Bicycles and other cycles, not motorized	2513	1280	0,1	-1233	50,9
	Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof					
8716		8575	13209	0,9	4634	154,0
0202-2403	<b>Agricultural products</b>	<b>32946</b>	<b>50690</b>	<b>3,5</b>	<b>17744</b>	<b>153,9</b>
	<i>including:</i>					
	Milk and cream, concentrated or containing added sugar or other sweetening matter					
0402		0	357	0,0	357	-
1108	Starches; inulin	594	1517	0,1	923	-
	Sausages and similar products, of meat, meat offal or blood					
1601		14043	9906	0,7	-4137	70,5
	Other prepared or preserved meat, meat offal or blood					
1602		1626	1236	0,1	-390	76,0
	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs					
1604		11701	15815	1,1	4114	135,2
1806	Chocolate and other food preparations containing cocoa		86	0,0	-52	62,3
		138				
2501-2621	<b>Mineral products</b>	<b>2404</b>	<b>3757</b>	<b>0,3</b>	<b>1353</b>	<b>156,3</b>

6801-7020	<b>Articles of stone, plaster, cement, asbestos, mica or similar materials</b>	<b>47779</b>	<b>55212</b>	<b>3,8</b>	<b>7433</b>	<b>115,6</b>
6908	Glazed ceramic flags and paving, hearth or wall tiles	21511	27908	1,9	6397	129,7
7005	Float glass and surface ground or polished glass	12552	7993	0,6	-4559	63,7
7010	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass	852	129	0,0	-723	15,1
9001-9114	<b>Instruments and apparatus</b>	<b>3993</b>	<b>4589</b>	<b>0,3</b>	<b>596</b>	<b>114,9</b>
	<b>Miscellaneous</b>	<b>10959</b>	<b>15781</b>	<b>1,1</b>	<b>4822</b>	<b>144,0</b>

## II. Trade provisions.

### 1. Import restrictions.

#### 1.1. Duties and charges.

The Contracting Parties shall not apply customs duties, taxes and charges, which have an equivalent effect, with respect to importation of goods, originating from the customs territory of one Contracting Party and destined for the customs territory of the other Contracting Party.

#### 1.2. Quantitative restrictions.

The Contracting Parties in their mutual trade shall refrain from introducing special measures or requirements, which are not applied to domestic or third-country products in similar situations, for importation of goods under this Agreement.

#### 1.3. Common customs tariff.

Introduction of the common customs tariff is not envisaged.

The Contracting Parties shall harmonize tariff rate levels applied in trade with the third countries. The Contracting Parties agreed to hold regular consultations aimed at achieving that goal.

### 2. Export restrictions.

#### 2.1 Duties and charges.

The Contracting Parties shall not apply customs duties, taxes and charges, which have an equivalent effect, with respect to exportation of goods originating from the customs territory of one Contracting Party and destined for the customs territory of the other Contracting Party.

#### 2.2. Quantitative restrictions.

The Contracting Parties in their mutual trade shall refrain from introducing special measures or requirements, which are not applied to domestic or third-country products in similar situations, for exportation of goods under this Agreement.

### 3. Rules of Origin.

Goods originating from the territories of the Contracting Parties shall be goods determined by Regulations on Establishing a Country of Origin as of 30 November, 2000 approved by Decision of the Governments Heads' Council of the Commonwealth of Independent States.

### 4. Standards.

The Agreement does not contain any specific provisions concerning standards.

#### 5. Safeguards.

The Contracting Parties may introduce unilaterally export/ import restrictions, but strictly for a definite period or time. Such measures may be introduced as quantitative export/ import restrictions or as special duties, antidumping or countervailing duties. The above-mentioned measures shall be of exceptional nature and applied only in case of:

- acute deficit of this product in the domestic market, until the market situation is stabilized;
- acute deficit of balance of payments, until the situation with the balance of payments is stabilized;
- where a good is imported into the territory of one of the Contracting Parties in such increased amounts or on such terms, which damage or threaten to damage local manufacturers of similar or directly competing goods;
- with a view to carrying out the measures stipulated for re-exportation.

The Contracting Party introducing a restriction shall furnish without delay upon request by another Contracting Party all necessary information on the reasons for establishing, forms and duration of such measures. The Contracting Parties shall give preference to those measures, which have the least harmful effect on achieving the goals of this Agreement.

#### 6. Antidumping and Countervailing Measures.

Antidumping and countervailing measures may be introduced unilaterally for the purpose of limiting export/ import for a strictly definite period.

#### 7. Subsidies and State Support.

The Agreement does not contain any specific provision concerning subsidies and state support as well as concerning countervailing measures.

#### 8. Provisions concerning specific industries.

The Agreement does not contain any specific provision concerning specific industries.

#### 9. Other provisions.

The Contracting Parties shall exchange, on a regular basis, information concerning customs issues, including the customs statistics. Authorized bodies of the Contracting Parties shall agree on the procedure for such an exchange.

### **III. General Provisions of the Agreement.**

#### 1. Exceptions and Reservations.

The Agreement shall not deprive the Contracting Parties of the right to take measures generally accepted in the international practice, which are considered by the Contracting Parties necessary for the protection of their vital interests or which are undoubtedly necessary for the implementation of international agreements of which they are signatories or intend to become signatories, and these measures concern:

- information affecting interests of national defence;
- traffic in arms, ammunition and military equipment;
- research or production related to the national defence needs;
- supply of materials and equipment used in nuclear industry;
- protection of public moral and order;
- protection of industrial and intellectual property;
- trade in gold, silver or other precious metals and stones;
- protection of life and health of people, animals and plants.

#### 2. Accession.

There is no provision in the Agreement allowing other countries to join it as this is a bilateral agreement.

### 3. Dispute Settlement Procedures.

Disputes between the Contracting Parties on the interpretation or application of the provisions of this Agreement shall be settled by way of negotiations.

### 4. Relation with Other Trade Agreements.

The Agreement does not establish any specific relation with other trade agreements.

None of the articles of this Agreement shall preclude either of the Contracting Parties from establishing relations with third parties and comply with obligations undertaken according to any other international agreements a signatory to which the Contracting Party of this agreement is or may become, subject to the other agreement's provisions not contradicting to the ones contained in this Agreement.

### 5. Institutional Framework.

The Contracting Parties shall assign the tasks of achieving objectives of this agreement and elaborating recommendations on improvement of trade and economic cooperation between the two countries to the Intergovernmental Ukrainian-Belarusian mixed Commission on Trade and Economic Cooperation.

The Commission functions according to the Agreement between the Government of Ukraine and the Government of the Republic of Belarus on Establishing the Intergovernmental Ukrainian-Belarusian Mixed Commission on Trade and Economic Cooperation of April 12, 1996.

The major goals of the Commission are the following:

- to review the results of foreign economic activity of the Contracting Parties, to analyze the process of implementation of major directions and principles of trade and economic cooperation;
- to work out and to submit to the competent authorities of the Contracting Parties recommendations on improvement, development and further harmonization of the processes under consideration;
- to examine other issues related to trade and economic cooperation.

The Commission shall consist of the Ukrainian and Belarusian parts.

Heads of national parts shall be appointed according to the national procedures of the relevant countries.

Each national part of the Commission shall appoint Secretary, who coordinates activities of the Commission's working bodies.

The Commission may establish sub-commissions and working groups with the purpose of fulfilling its duties. The Commission shall define the goal, powers and composition of such entities.

## **IV. Other Information.**

The Contracting Parties shall consider incompatible with the purposes of this Agreement any unfair business practices and shall not allow in particular, but not exclusively the following methods thereof:

- agreements between enterprises, decisions made by the associations of enterprises, and general methods of business practices aimed at hindering or limiting competition or disrupting the competitive environment in the territories of the Contracting Parties;

- actions by means of which one or a few enterprises use their dominant position, limiting competition within the entire territory of the Contracting Parties or a significant part thereof.

Each Contracting Party shall provide free transit, via its territory, of goods originating from the customs territory of the other Contracting Party and/or third countries.

Each Contracting Party shall prevent unauthorized re-exportation of goods which are subject to measures of tariff or non-tariff regulation in the territory of a Contracting Party from which the goods originate.