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## AGREEMENT

### between the Transitional Islamic State of Afghanistan and the Government of the Republic of Uzbekistan on trade and economic cooperation

The Transitional Islamic State of Afghanistan and the Government of the Republic of Uzbekistan, hereinafter referred to as the Parties,

considering desire and interest of the Parties to strengthen and develop economic and trade relations on the basis of equality and mutual benefit,

taking into account, that economic relations are the important and necessary element in the strengthening of bilateral relations,

undertaking to provide protection of intellectual and industrial property according to the existing national laws and regulations of each Party,

have agreed as follows:

#### Article 1 The purposes

The Parties conclude the present Agreement with a view of creating favorable condition within the framework of the national laws of the Parties and according to international norms for extension and simplification of trade and economic relations between physical and legal entities as well as encouraging for investments.

Each Party shall refrain from actions, which may cause an economical damage to other Party.

#### Article 2 Most favored nation treatment

1. For achievement of the purposes specified in Article 1, the Parties shall provide the most favored nation treatment in mutual trade in goods and services, in particular concerning:

- a) customs duties and any other kinds of duties concerning import and export;
- b) methods of charging duties specified in previous point;

c) taxes on the international remittance of the finance by payment for import and export operations;

d) rules and other formalities, associated with import and export, including customs registration, transit, storage and delivery.

2. Each Party shall provide the goods and services of the other Party with the nondiscrimination treatment concerning quantitative restrictions and licensing where it is necessary.

3. The advantages, privileges or other preferences indicated in the provision 1 of the present article shall be applied to goods and services extracted from or produced in the territory of the states of the Parties in case of presenting corresponding certificates of origin of goods.

### Article 3

#### Exceptions to the most favored nation treatment

The Parties have agreed, that the most favored nation treatment specified in Article 2 of the present Agreement, is not applied to advantages, privileges or other preferences which any Party has given or can give with regards to:

a) the adjacent states with a view of simplification of frontier trade;

b) the countries being members of the customs unions, free trade zones, economic unions or any other form of regional or sub-regional trade organizations which one of the Parties has entered or can enter;

c) participation of any Party in the international agreements concerning taxation.

### Article 4

#### National treatment

The goods, extracted from or produced in the territory of the state of one of the Parties and imported to the territory of the state of the other Party shall be provided with the treatment not less favorable than the treatment given to the analogous goods of the national origin concerning all laws, rules and requirements concerning their internal sale, offers on



## Article 5 Implementation of the Agreement

The exchange of goods and provision of services as it is determined in this Agreement, shall be carried out on the basis of the contracts concluded between physical and legal entities of the states of the Parties according to the existing laws and regulations.

## Article 6 Remittances

All payments concerning import and export of goods and services between the physical and legal entities of the states of the Parties shall be carried out in freely convertible currency on the basis of a market rate for the period of transaction if other methods of payments are not specified by the parties of the contract.

## Article 7 Encouragement of trade

The Parties shall strive to develop and promote bilateral trade between the two Countries by:

- encouraging their legal and physical entities in exporting/importing of goods and services as well as taking part in investment and national exhibitions and trade fairs being conducted in the territories of their states;

- exchanging information on Technical, Trade and Investment through conducting seminars, research centers etc.;
- providing basis for advantageous cooperation between Chambers of Commerce of the Parties;

- providing basis for establishment of joint ventures among the private companies of the states of the Parties.

### Article 8 Legalization of documents

The Parties on the basis of reciprocity should consider questions on legalization of documents according to the existing laws and regulations of the states of the Parties.

### Article 9 Transport and transit

The Parties have agreed that procedures and conditions of transportation of commodities, movement of transport including transit commodity and passenger transportations and also cooperation of transport systems should be regulated on the basis of international agreements concluding between the Parties.

### Article 10 Intergovernmental Commission

The Parties for the purpose of implementation of the provisions of the present Agreement shall create an Intergovernmental Uzbek-Afghan Commission on trade and economic cooperation hereinafter referred to as the Commission.

Primary goals of the Commission are:

- assurance on smooth implementation of this Agreement and contracts concluded between the legal and physical entities of the states of the Parties on the basis of this Agreement and related agreements;

- preparation of offers and recommendations directed at further development of trading cooperation among the Parties;

- resolution of disputes arising out of interpretation or application of the present Agreement.

The Commission shall consist of the authorized representatives of the Parties and shall be chaired by the Ministers of the Commerce of both Parties to hold their sessions annually and alternatively in Tashkent and Kabul.



### **Article 11**

#### **The resolution of disputes**

Disputes, concerning interpretation and application of provisions of the present Agreement are to be settled through consultations and negotiations.

In case the dispute is not settled amicably, the Parties can seek the resolution according to international laws.

### **Article 12**

#### **Changes and amendments**

Provisions of the present Agreement can be amended by mutual consent of the Parties which shall be legalized in protocols as an integral part of the present Agreement and enter into force in the order ascertained by the article 13 of the present Agreement.

### **Article 13**

#### **Validation**

1. The present Agreement shall enter into force on the last day of exchange of written notifications of the Parties on execution of corresponding interstate procedures that are necessary for the present Agreement to come into force.

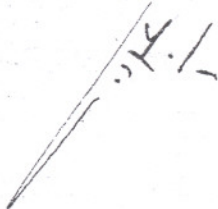
2. The present Agreement operates for 5 years from the moment of entry into force, with automatic extension for the next period of five years until one of the Parties notifies in written form the other Party not later than 6 months before the end of the corresponding five-year period about its intention to terminate the validity of the present Agreement.

3. In case of termination of the present Agreement, its provisions shall continue to apply to contracts between the physical and legal entities of the states of the Parties, concluded in the period of validity of this Agreement, up to one year after termination of the Agreement.

Done at Kabul this 8<sup>th</sup> day of December 2003, in two original copies, each in Dari, Uzbek and English languages, all texts being equally authentic.

In case of differences in interpretation of the separate provisions of the present Agreement, the English text shall prevail.

For the Transitional Islamic  
State of Afghanistan



For the Government of the  
Republic of Uzbekistan

