

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.

Article 3

The parties shall refrain from undertaking discriminating measures in mutual trade as well as from setting quantitative restrictions or equivalent measures in export and 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:

Article 6

- delivery of 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

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

Article 12

The provisions of the present agreement shall replace the provisions of the agreements made between the parties, where they are not consistent or are identical.

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 determine 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 set, shall be within the competence of the arbitrary courts, created on the territory of the parties or any other country, determined by the parties having signed the contract.

The latter can also define the used material rights, norms and procedures, also the site of arbitration.

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

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 18

The present agreement comes into force as of the date of exchange of the final written

AGREEMENT

on Free Trade Between the Government of Georgia and the Government of Turkmenistan

The government of Georgia and the government of Turkmenistan, 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 the Republic of Turkmenistan,

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

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

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

intending to promote the economic growth, full employment, productivity growth and resource mobilisation,

striving to promote harmonisation and growth of the world commerce eliminating the obstacles hindering its development,

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 document, which shall be 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 following goods

- a) fully 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, which causes the change of ownership according to the classification of goods nomenclature of the foreign economic activities.
- 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 share of the goods sold.

Such rules of the goods origin shall be agreed upon 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 the similar product manufactured in the country or the product 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 similar goods produced inside the country or originated from any other country.

Apply for storage, unloading, transportation, also for payment and bank transfer transactions of 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, towards the export of which the party, from whose territory the goods are originated, applies measures of tariff and non-tariff regulation.

Article 3

The parties will refrain from undertaking discriminating measures in mutual trade, also from setting quantitative restrictions or equivalent measures for export and 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:

during the acute deficit of these good in the home market;

before the stabilisation of the taxation balance,

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 realise the measures stipulated under article 6 of this agreement.

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.

In accordance with this article, for introduction of quantitative restrictions a separate protocol shall be created.

Article 4

Payments and money transfers connected with the commercial economic cooperation between the parties shall take place in accordance with the mech

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 7

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 create the goods nomenclature outside the limits of the nine-bar standard.

Introduction of the standard trade nomenclature shall take place on the basis of mutual agreements via existing missions in respective international organisations.

Article 8

- protection of public health, flora and fauna, environmental protection.
- protection of arts, archaeological and historical values, representing the national treasure;
- protection of irreversible natural resources;
- restriction of the products export, when, due to the state support programmes, the internal price on this product is lower than the world price;
- violation of the payments balance.

Article 10

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 11

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 12

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 the mutual trade.

The parties shall determine that all claims and disputes arisen during the interpretation and fulfilment of the commercial contracts and

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.

The agreement is made in Tbilisi on --- March 1996, in two copies, each one in Georgian,

