

TRADE AGREEMENT

BETWEEN

BOSNIA AND HERZEGOVINA

AND

THE REPUBLIC OF BELARUS

Bosnia and Herzegovina and The Republic of Belarus, (hereinafter referred to as the "Contracting Parties");

Having respect to the intention of Bosnia and Herzegovina and The Republic of Belarus to participate actively in the process of the economic integration in Europe;

Desiring to promote and strengthen the economic and trade relations between the two countries;

Firmly convinced of the necessity of lasting and effective co-operation which will mutually benefit both States' interests; and

Taking into consideration the principles of the World Trade Organisation (WTO).

Have agreed as follows:

Article 1

The Contracting Parties shall, within the scope of the laws and regulations in force in their respective States, take all appropriate measures to intensify and strengthen their trade relations and co-operation.

Article 2

The Contracting Party shall, in connection with exchange of products originating in the territories of the Contracting Parties, grant each other the Most-Favoured-Nation Treatment in respect of all matters to:

Customs duties and charges of any kind applicable in respect of import and export, including the methods of levying such duties and charges;

Rules and procedures relating to import and export including rules and procedures relating to clearance, transit, warehousing and transshipment;

Methods of payment and the transfer of such payments for goods;

Rules relating to sale, purchase, transportation, distribution, storage and use of goods on domestic market;

Taxes and internal charges of any kind applicable directly or indirectly in respect of imported goods.

Article 3

The provisions of Article 2 of this Agreement shall not, however, apply to:

1. The advantages which the Contracting Parties grant or shall grant in the future to their adjacent states in order to facilitate frontier traffic.
2. The advantages which the Contracting Parties grant or shall grant in the future to third states on the basis of agreement of establishing customs union or free trade area or on the basis of interim agreement leading to the formation of customs union or free trade area, to which the Contracting Party is obliged.
3. The advantages and preferences which the Contracting Parties grant or may grant in the future in accordance with a plurilateral preferential trade agreement or on the basis of the Generalised System of Preferences of the United Nation Conference on Trade and Development (UNCTAD) or in accordance with the national laws and regulations and which are the WTO consistent.

Article 4

The country of origin shall be considered in accordance with national laws and regulations and with international agreements, which both Contracting Parties are members as a country in which the product has been produced or has undergone sufficient processing.

The Contracting Parties reserve the right to request certificates of origin when importing any goods.

Article 5

1. The import and export of products will be carried out in accordance with the laws and regulations in force in either State, international trade practices, and on the basis of contracts to be concluded between natural and/or legal persons of the two States.
2. Neither of the Contracting Parties shall be held responsible for the liabilities and non-fulfillment of obligations of natural and/or legal persons arising from such contracts referred to in paragraph 1 of this Article.

Article 6

1. In case any product is being imported from the territory of one Contracting Party to the territory of the other Contracting Party in so increased quantities or under such conditions, which cause or may cause serious losses to the domestic production sector producers or similar or directly competing products, the urgent consultations according to Article 12 of this Agreement will take place the aim to agree on mutually satisfactory solution.
2. In the absence of any mutually agreed solution during the consultations the offended Contracting Party can take the respective measures for the duration needed in order to protect or remove damage.
3. In critical circumstances, where the delay would cause hardly retrievable loss, the Contracting Party can take the respective measures without prior consultations on the condition that the consultations will be called immediately after taking such action.

Article 7

For the purposes of this Agreement, the Contracting Parties shall encourage and facilitate the following activities of organisations and enterprises of both sides:

- a) Arrangement of business meetings, trade missions, trade and industrial fairs and exhibitions, seminars and talks;
- b) Exchange of information and experiences regarding their respective foreign trade;
- c) Co-operation in seeking the possibilities of enlarging market access to third states;
- d) Identification of problems that hamper bilateral trade co-operation and recommendation of solutions that may help to widen the market access to their respective States.

Article 8

The Contracting Party shall allow in accordance with the laws and regulations in force in each State the temporary import and export of following items, without imposing customs duties, value added tax, excise tax or other taxes or charges having equivalent effect:

- a) Goods and materials for fairs and exhibitions which are not intended for sale;
- b) Samples of merchandise, fit only to be used as such and of no commercial value;
- c) Advertising materials of no commercial value.

Article 9

All payments arising under this Agreement shall be effected in freely convertible currency according to the foreign exchange regulations in force in each State.

Article 10

Taking into account the importance of banking in developing mutual economic and commercial activities, the Contracting Parties agreed to promote within the scope of laws and regulations in force in their respective States, the co-operation between the banks of their countries.

Article 11

Natural and legal persons of either State can shall import or export products from each other on the basis of counter-trade compensation agreements, leasing and buy-back agreements or any other internationally recognised form of business co-operation, in accordance with the laws and regulations of the two States.

Article 12

There shall be freedom of transit through the territory of the State of each Contracting Party, via the routes most convenient for international transit, for traffic in transit to or from the territory of the State of the other Contracting Party in accordance with the laws and regulations in force in either State.

Article 13

1. In order to facilitate the implementation of this Agreement, the Contracting Parties agreed to set up a Joint Committee comprising the representatives of their respective authorities. The Joint Committee shall meet alternately in Bosnia and Herzegovina and The Republic of Belarus at any time agreed upon by the Contracting Parties.
2. The Joint Committee shall:
 - a) review the implementation of this Agreement,
 - b) seek the possibilities of increasing and diversifying mutual trade relations between the two Contracting Parties,
 - c) submit and study appropriate proposals with the aim of recommending to the Contracting Parties measures for the dynamic development of trade co-operation,
 - d) discuss any other issues arising out of this Agreement.
3. Subject to the approval of the respective authorities, representatives of companies, economic or financial organisations and enterprises may participate in the work of the Joint Committee. The Joint Committee shall determine the rules and procedures of such participation.

Article 14

1. This Agreement may be revised or amended by the mutual consent of the Contracting Parties, done in written form.
2. Amendments to this Agreement shall enter into force in accordance with the provisions of Article 16, paragraph 1.

Article 15

Any dispute between the Contracting Parties relating to the interpretation or implementation of this Agreement shall be resolved by friendly consultations and negotiations within reasonable period of time.

Article 16

1. This Agreement shall enter into force on the first day of the month following the day of transmission of the latter of the Notes by which the Contracting Parties notify each other through diplomatic channels that their internal procedures required for entry into force of this Agreement have been fulfilled.
2. This Agreement shall remain valid for a period of five years and shall be automatically extended for another year, unless either Contracting Party gives to the other a written notice of its termination six months prior to the expiration of its validity.
3. The provisions of this Agreement shall not affect the contracts concluded between natural and/or legal persons of the two States before the date of signing of this Agreement.

Done at _____ on _____ in two originals, each in the Bosnian/Croatian/Serbian, Russian and English languages, all texts being equally authentic. In case of any divergence on the interpretation, the English text shall prevail.

FOR
BOSNIA AND HERZEGOVINA

FOR
THE REPUBLIC OF BELARUS
