

No. 7215

UNION OF SOVIET SOCIALIST REPUBLICS
and
TANGANYIKA

Trade Agreement (with annexes and exchange of letters).
Signed at Dar es Salaam, on 14 August 1963

Official texts: Russian and English.

Registered by the Union of Soviet Socialist Republics on 14 April 1964.

UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES
et
TANGANYIKA

Accord commercial (avec annexes et échange de lettres). Si-
gné à Dar es-Salam, le 14 août 1963

Textes officiels russe et anglais.

Enregistré par l'Union des Républiques socialistes soviétiques le 14 avril 1964.

No. 7215. TRADE AGREEMENT¹ BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE REPUBLIC OF TANGANYIKA. SIGNED AT DAR ES SALAAM, ON 14 AUGUST 1963

The Government of the Union of Soviet Socialist Republics and the Government of the Republic of Tanganyika desirous of strengthening and developing trade relations between the two countries on the basis of equality and mutual benefit, have agreed as follows :

Article 1

1. Each Party shall accord to the other Party unconditional most-favoured-nation treatment in all matters relating to trade between both countries, in particular, with respect to customs duties and charges of any kind imposed on or in connection with importation or exportation or imposed on the international transfer of payments for imports or exports and with respect to the method of levying such duties and charges, and with respect to the rules and formalities connected with importation or exportation including the issuing of licences, and with respect to all internal taxes or other internal charges of any kind imposed on or in connection with imported or exported goods, and with respect to all laws, regulations and requirements affecting distribution of imported goods within the territory of each Party.

2. Accordingly, products of either country imported into the territory of the other Party shall not be subject in regard to the matters referred to in paragraph 1 of this Article, to any duties, taxes or charges higher or to any rules and formalities more burdensome than those to which the like products of any third country are or hereafter may be subject.

3. Similarly, products exported from the territory of either Party and consigned to the territory of the other Party shall not be subject, in regard to the matters referred to in paragraph 1 of this Article to any duties, taxes or charges higher, or to any rules or formalities more burdensome than those to which the like products when consigned to the territory of any third country are or may hereafter be subject.

¹ Came into force on 2 December 1963, the date of the exchange of the instruments of ratification at Dar es Salaam, in accordance with the provisions of article 15 (1).

4. Any advantage, favour, privilege or immunity which has been or may hereafter be granted to either Party in regard to the matters referred to in paragraph 1 of this Article to any product originating in any third country or consigned to the territory of any third country shall be accorded immediately and unconditionally to the like products originating in or consigned to the territory of the other Party.

5. The provisions of the preceding paragraphs shall not apply to :

- a) any advantage which has been or may hereafter be granted by either Party to adjacent countries in order to facilitate frontier traffic;
- b) any advantage which results from a customs union, to which either Party may be a party.

Article 2

1. The products of either country after they have been in transit through the territories of one or more third countries shall not upon their importation into the territory of the other country, be subject to duties or charges higher than those to which they would be subject if they were imported directly from the territory of such country.

2. The provisions of the preceding paragraph are also applicable to goods which during their transportation through the territory of a third country underwent trans-shipment, repacking and storage.

Article 3

There shall be freedom of transit through the territory of each Party by the routes most convenient for international transit for products of any origin en route to and from the territory of the other Party.

Article 4

1. Each Party shall exempt from duties and charges samples of goods and advertising material of the other country which are imported into its territory or brought into temporarily and taken out of its territory.

2. Subject to the internal laws and regulations in force, each Party shall accord most-favoured-nation treatment with respect to exemption from duties and charges on the following articles of the other Party which are brought into temporarily and taken out of its territory :

- a) articles destined for tests and experiments;
- b) articles destined for exhibitions, contests and fairs;
- c) tools to be used by assemblers in assembling and installing equipment;
- d) articles to be processed or repaired and materials required for processing or repairing;
- e) containers of exported or imported goods.

Article 5

1. For purposes of this Agreement, goods originating in the Union of Soviet Socialist Republics shall be regarded as Soviet products and goods originating in the Republic of Tanganyika shall be regarded as Tanganyikan products.

2. The country of origin shall be deemed to be the country where a product was produced and manufactured or underwent its last substantial processing, or in the case of non-processed agricultural products the country where the products were actually produced. Both Parties reserve the right to subject the importation of certain goods to the submission of a certificate of origin by an organization authorised in this respect by the Government of the country of origin.

Article 6

1. The export of goods from the USSR to the Republic of Tanganyika and from the Republic of Tanganyika to the USSR shall be effected on the basis of Lists A and B attached to the present Agreement.

2. Alterations may be entered into the above Lists A and B by mutual consent of the Parties.

3. Both Parties shall take measures so that the exchange of goods between the two countries be made on the basis of the principle of balanced trade.

4. The competent authorities of both Parties shall freely grant import and export licences for the goods mentioned in the Lists A and B when import or export of goods requires licensing.

Article 7

1. The provisions of Article 6 do not affect the rights of Soviet foreign trade organisations and Tanganyika's physical and juridical persons to conclude between themselves commercial transactions for import or export of goods not included in the Lists mentioned in Article 6.

2. The competent authorities of both Parties shall consider in the spirit of genuine co-operation respective requests to import and export goods provided for in the present Article.

Article 8

Import and export of goods mentioned in Articles 6 and 7, shall be effected in accordance with import, export and exchange control laws and regulations in force in the USSR and the Republic of Tanganyika, and on the basis of contracts concluded between Soviet foreign trade organisations on the one hand, and Tanganyika's physical and juridical persons, on the other hand.

Article 9

Both Parties shall take measures so that the prices for the goods to be delivered under the present Agreement will be established on the basis of the world market prices, i.e., prices of the main markets for the corresponding goods. For goods for which no world market price can be established, competitive prices for similar goods of analogous quality shall be applied.

Article 10

Both Parties undertake that goods imported by either Party from the territory of the other, shall not be re-exported without prior approval of the competent authorities of the other Party.

Article 11

1. The two Parties shall grant each other most-favoured-nation treatment in all matters concerning navigation. In particular, merchant ships of either country with cargoes thereon shall enjoy upon their entry into, their stay in and their departure from the ports of the other Party the most favoured treatment which is accorded by corresponding laws, rules and regulations to the ships flying the flag of any third country.

2. The provisions of the first paragraph shall not apply to execution of port services including pilotage and towing as well as coastal navigation.

Article 12

The Parties agree that all payments between the USSR and the Republic of Tanganyika which result from the present Agreement shall be effected in Pounds Sterling.

Article 13

Both Parties shall consult together upon the request of either Party on matters of commercial relations and the implementation of the present Agreement.

Article 14

Upon the expiry of the present Agreement its provisions shall apply to all contracts concluded in the period of its validity and outstanding at the moment of the expiry of the Agreement.

Article 15

1. The present Agreement shall be subject to ratification and shall enter into force on the date of exchange of instruments of ratification at Dar es Salaam. The exchange of instruments of ratification shall take place not later than within two months from the date of signing of the present Agreement.

2. The present Agreement shall remain in force until either Party has previously given to the other at least six months' written notice of its intention to terminate the present Agreement.

IN WITNESS WHEREOF the representatives of the two Governments, duly authorised for the purpose, have signed the present Agreement.

DONE in Dar es Salaam on August 14 1963, in duplicate, each in the Russian and English languages, both texts being equally authentic.

By authority
of the Government of the Union
of Soviet Socialist Republics :

K. BAXTOB

By authority
of the Government
of the Republic of Tanganyika :

C. G. KAHAMA

A N N E X

LIST « A »

OF GOODS FOR EXPORT FROM THE USSR TO THE REPUBLIC OF TANGANYIKA

Machines and equipment, including :
metal-working and wood-working machine-tools, cars and trucks (including dump-trucks), tractors, agricultural machines and implements, road-building machinery, power and electrotechnical equipment, building, drilling and mining equipment, crushing and grinding equipment, chemical equipment, pumps, compressors and ventilators, gas-welding equipment, equipment for light and

printing industries, spare parts for automobiles, tractors, road-building machines, drilling, mining, building and other equipment.

Fishing vessels and nautical instruments.	Rubber manufactures, technical.
Aircraft and helicopters.	Automobile tyres and tubes.
Ball and roller bearings.	Cotton fabrics.
Metal-working tools.	Synthetic fibre fabric.
Motor cycles and bicycles.	Haberdashery.
Cinema equipment, cameras, optical instruments and tools.	Stationery.
Watches.	Sugar.
Radio-sets and radio accessories.	Wheat flour.
Sanitary equipment.	Canned fish, meat, fruit, vegetables.
Rolled ferrous metals and manufactures thereof.	Caviar.
Rolled non-ferrous metals.	Condensed milk.
Cable manufactures.	Liquors and vodka.
Oil and oil products.	Soap, laundry and toilet.
Cement.	Medicines and medical equipment.
Asbestos.	Matches.
Window glass and ceramic ware.	Tobacco manufactures.
Paper, cardboard and manufactures thereof.	Metal ware, china, pottery.
Chemical fertilizers and chemical products.	Sporting goods.
	Electrical household goods.
	Films and printed matter.

LIST « B »

OF GOODS FOR EXPORT FROM THE REPUBLIC OF TANGANYIKA TO THE USSR

Sisal.	Seeds of other oil bearing plants.
Cotton.	Fine wood.
Hides and skins.	Tobacco.
Peanuts.	Coffee.
Castor beans.	

Примите, Ваше Превосходительство, уверения в высоком к Вам уважении.

К. БАХТОВ

Его Превосходительству господину Д. Ж. Кахама
Министру Торговли и Промышленности
Республики Танганьика
Дар-эс-Салам

[TRANSLATION — TRADUCTION]

Dar es Salaam, 14 August 1963

Sir,

[See letter II]

Accept, Sir, etc.

К. ВАХТОВ

His Excellency C. G. Kahama
Minister for Commerce and Industry
of the Republic of Tanganyika
Dar es Salaam

II

Dar es Salaam, 14th August 1963

Your Excellency,

In connection with the signing on this date of the Trade Agreement¹ between the Union of Soviet Socialist Republics and the Republic of Tanganyika I have the honour to confirm the mutual understanding reached in the course of negotiations on the following :

1. The customs arrangements presently existing between Tanganyika, Kenya and Uganda are a customs union within the meaning of Article I, Paragraph 5, clause *b*) of the Trade Agreement.

2. The provisions of Article 4, Paragraph 1 shall not apply to commercial advertising cine films.

3. If, by the end of any annual period from the entry into force of the Agreement it appears that there is a divergence from the principle of balanced trade established in Article 6, paragraph 3, both Parties agree that if imports

¹ See p. 197 of this volume.

into one country from the other exceed exports by more than 15% the Party whose imports exceed its exports shall have the right, after notification to the other Party and after allowing it the period of six months for eliminating this divergence to limit by licences, quota's and other means imports of the goods of the other Party until such time as the divergence is not more than 15%.

4. The provisions of Article 10 shall not apply in relation to re-exports of Soviet goods by Tanganyika to Kenya and Uganda, if the Government of the Republic of Tanganyika receives the assurances of the Governments of Kenya and Uganda that they will not re-export Soviet goods to other countries.

5. The provisions of Article 11 shall not apply to those parts of the port installations at Dar es Salaam and Kigoma which are not under the jurisdiction of the Government of the Republic of Tanganyika because they are the subject of the convention concluded on March 21st 1963, in Dar es Salaam by the representatives of the Governments of Tanganyika, Congo (Leopoldville) Burundi and Rwanda.

The provisions of the present letter are the integral part of the mentioned Trade Agreement and will be applied upon the date of entrance into force of this Agreement.

Accept, Your Excellency, the assurances of my highest consideration.

C. G. KAHAMA
Minister

His Excellency Mr. K. Bahtov
Leader of the Trade Delegation of the U.S.S.R.
to Tanganyika
Dar es Salaam