

No. 19643

**AUSTRALIA
and
IRAQ**

**Agreement on trade, economic and technical co-operation
(with schedules). Signed at Canberra on 11 March 1980**

Authentic texts: Arabic and English.

Registered by Australia on 11 March 1981.

**AUSTRALIE
et
IRAQ**

**Accord de coopération commerciale, économique et technique
(avec appendices). Signé à Canberra le 11 mars
1980**

Textes authentiques : arabe et anglais.

Enregistré par l'Australie le 11 mars 1981.

AGREEMENT¹ ON TRADE, ECONOMIC AND TECHNICAL CO-OPERATION BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE REPUBLIC OF IRAQ

The Government of Australia and the Government of the Republic of Iraq,

Convinced of the importance of strengthening, expanding and diversifying trade, economic and technical co-operation between their two countries on an equitable and mutually beneficial basis, have decided to conclude an agreement, and for that purpose have appointed as their plenipotentiaries:

The Right Honourable John Douglas Anthony, Minister of State for Trade and Resources of the Government of Australia,

His Excellency Mr. Hassan Ali, Minister of Trade of the Government of the Republic of Iraq,

who, having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

Article one. The two Governments shall take appropriate measures to develop and expand mutually beneficial trade in goods and services, and mutually beneficial economic and technical co-operation between their countries.

Article two. 1. In order to develop and expand mutually beneficial trade between the two countries:

- (a) Due regard shall be given to the items enumerated in schedules A and B annexed to this Agreement, which cover products and commodities of interest to exporters of the respective countries;
- (b) The two Governments shall encourage and facilitate the negotiation of commercial contracts, preferably on a long-term basis, between relevant organisations and commercial enterprises of the two countries; and
- (c) The two Governments shall examine and, where appropriate, implement measures aimed at the expansion of mutual trade, in particular measures to assist the marketing of Iraqi goods in Australia.

2. The schedules may be amended at any time by mutual consent by an exchange of notes between the two Governments.

Article three. 1. To further advance the objectives set out in article one of this Agreement, the two Governments shall take appropriate measures to encourage and facilitate the development of economic and technical co-operation between relevant organisations and commercial enterprises of the two countries.

2. The two Governments shall encourage relevant organisations and commercial enterprises of their respective countries to conclude contracts involving developmental projects and technical co-operation in the Republic of Iraq.

Article four. 1. The two Governments shall examine possibilities for the development of economic and technical co-operation including co-operation

¹ Came into force on 29 April 1980, the date of the exchange of notes confirming its approval, in accordance with article 13 (2).

involving the activities of professional consultants and construction contractors. In this respect particular attention shall be given to:

- (a) Agriculture, forestry, fisheries and animal resources;
- (b) Industry;
- (c) Irrigation and water conservation projects;
- (d) Generation of electricity;
- (e) Engineering and public construction; and
- (f) Transport infrastructure.

2. Each Government undertakes to facilitate as appropriate the development of activities in its country of relevant organisations and commercial enterprises of the other country in the areas mentioned in paragraph 1 of this article.

Article five. 1. The two Governments shall use their best endeavours to promote technical co-operation, including the transfer of modern technology, between relevant organisations and commercial enterprises.

2. Technical co-operation may be implemented in the following forms:

- (a) Exchange of visits of specialised personnel and, as appropriate, technical presentations through symposia, seminars and the like;
- (b) Study by Iraqi specialised personnel at Australian universities, institutes and other training facilities;
- (c) Training of Iraqis in agriculture, agricultural mechanisation, cattle breeding and irrigation, and also in engineering industries, especially those which process or use aluminium;
- (d) The provision of Australian technical expertise in the establishment in Iraq of technical institutes concerning agriculture, industry and engineering consultancy in design and construction;
- (e) The exchange of scientific and technical information; and
- (f) Such other forms of technical co-operation as the two Governments may mutually arrange.

Article six. The Government of Australia shall bring to the attention of relevant Australian organisations and commercial enterprises the expressed desire of the Government of the Republic of Iraq that any tender submitted or any contract entered into should take into consideration the following:

- (a) Technical specifications should be of high quality;
- (b) Tenders should be submitted, contracts concluded and projects implemented with all possible speed;
- (c) Projects should be implemented on a turn key basis wherever practicable;
- (d) Prices should be competitive; and
- (e) Spare parts, equipment, materials and services necessary to follow up contracts established under this Agreement should be available at competitive prices.

Article seven. The two Governments shall accord each other most-favoured-nation treatment in all respects concerning customs duties and charges of any

kind imposed on or in connection with importation or exportation and related formalities, regulations and procedures. The provisions of this article shall not apply to the following:

- (a) Advantages and privileges accorded or which may be accorded by either Government to neighbouring countries in order to facilitate border trade;
- (b) Tariff preferences or other favours and facilities granted by either Government in accordance with any agreement or arrangement constituting or leading to the establishment of a free trade area or a customs union;
- (c) Advantages and privileges accorded or which may be accorded by the Republic of Iraq to Arab countries;
- (d) Preferences or advantages accorded or which may be accorded by the Government of Australia to:
 - (1) Non-metropolitan territories administered by Australia;
 - (2) Countries that were formerly non-metropolitan territories administered by Australia;
 - (3) Countries that are, have been, or may become eligible for such preferences or advantages by virtue of arrangements within the Commonwealth of Nations;and
- (e) Such measures as either Government may take to:
 - (1) Safeguard its national security, or human, animal or plant life or health; and
 - (2) Meet its commitments or exercise its rights under international agreements and arrangements (including commodity agreements).

Article eight. 1. In accordance with the laws and regulations in either country, the two Governments shall encourage participation in international fairs held in either country and the establishment of temporary or permanent trade centres and fairs as well as the provision of all necessary facilities for the importation of samples for advertising purposes, goods and articles for display, tools and other instruments for erection purposes and all necessary containers.

2. Each Government shall permit the admission free from customs duties and other related charges of all goods and materials from the other country required to establish trade fairs, specialised fairs or for the purposes of commercial advertisement. Such admission of goods and materials shall be on a temporary basis and the goods and materials re-exported, unless the two Governments mutually arrange otherwise.

Article nine. Contracts and commercial arrangements entered into between relevant enterprises and organisations shall be in accordance with the laws, regulations and requirements of each country.

Article ten. Payments arising out of trade and other transactions, implemented within the scope of this Agreement, shall be settled in any mutually acceptable convertible currency in accordance with the terms of the relevant contracts and with the foreign exchange laws, regulations and requirements of each country.

Article eleven. 1. For the purpose of promoting the aims of this Agreement a Governmental Joint Commission which shall consist of representatives designated by each Government is hereby established.

2. The Joint Commission shall meet at the request of either Government at a date to be mutually arranged on each occasion. The meetings shall be held alternately in Iraq and Australia.

3. The Joint Commission shall:

- (a) Review and keep under consideration the implementation of the provisions of this Agreement;
- (b) As appropriate, examine means of facilitating the conclusion and implementation of commercial contracts;
- (c) Consider proposals for amendment of schedules A and B to this Agreement;
- (d) Consider proposed measures for the expansion of economic and technical co-operation between relevant organisations and commercial enterprises;
- (e) Encourage and facilitate the exchange of ideas and information in the field of technology;
- (f) Review progress in the promotion of technical co-operation and as appropriate discuss any cost-sharing arrangements for such technical co-operation between relevant organisations and commercial enterprises of each country; and
- (g) If appropriate prepare annual programs of technical co-operation.

4. The Joint Commission may submit to the two Governments recommendations relating to the matters referred to in paragraph 3 of this article.

Article twelve. The Joint Commission may seek mutually acceptable solutions to any problems or disputes that may arise in relation to any contracts and commercial arrangements concluded within the scope of this Agreement. This shall not preclude the application of the specific provisions for the settlement of disputes which may be included in the relevant contracts.

Article thirteen. 1. This Agreement shall be subject to the approval by the competent authorities in both countries according to the constitutional procedures in each country.

2. This Agreement shall enter into force on the date of the exchange of notes confirming its approval by the two Governments.

Article fourteen. This Agreement may be amended at any time by agreement of the two Governments.

Article fifteen. This Agreement shall remain in force for five years, automatically renewable for similar periods, unless either Government notifies the other in writing through diplomatic channels of its intentions to terminate the Agreement at least six months prior to the date of expiration of the current period.

Article sixteen. In the event of termination of this Agreement its provisions shall continue to apply in respect of unfulfilled obligations under commercial contracts entered into during the period of validity of this Agreement.

SIGNED at Canberra on this eleventh day of March, One thousand nine hundred and eighty, in two originals in Arabic and English, both texts being equally authentic.

[Signed — Signé]¹
For the Government
of Australia

[Signed — Signé]²
For the Government
of the Republic of Iraq

SCHEDULE A

EXPORTS FROM IRAQ TO AUSTRALIA

Oil;	Fertilisers;
Dates;	Textiles;
Date syrup;	Blankets (acrylic);
Sulphur;	Tractors.

SCHEDULE B

EXPORTS FROM AUSTRALIA TO IRAQ

Agricultural machinery and equipment;	Live sheep;
Airport navigation equipment;	Meat;
Alumina;	Medical, hospital and scientific equipment;
Automotive components and accessories;	Metals and minerals;
Beverages (beer, etc.);	Office machinery and parts;
Chemicals and pharmaceuticals;	Paper;
Construction equipment;	Pasture seeds;
Dairy products (cheese, ghee, whole milk powder, etc.);	Processed foodstuffs;
Industrial safety equipment;	Sugar;
Irrigation equipment;	Tallow;
Iron and steel;	Wheat, barley and other grains;
Live cattle;	Wool.

¹ Signed by John Douglas Anthony — Signé par John Douglas Anthony.

² Signed by Hassan Ali — Signé par Hassan Ali.