

No. 30545

**FINLAND
and
KAZAKHSTAN**

**Agreement on trade and economic cooperation. Signed at
Alma-Ata on 29 September 1992**

Authentic texts: Finnish, Kazakh and Russian.

Registered by Finland on 30 November 1993.

**FINLANDE
et
KAZAKHSTAN**

**Accord relatif à la coopération commerciale et économique.
Signé à Alma-Ata le 29 septembre 1992**

Textes authentiques : finnois, kazakh et russe.

Enregistré par la Finlande le 30 novembre 1993.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE REPUBLIC OF KAZAKHSTAN ON TRADE AND ECONOMIC COOPERATION

The Government of the Republic of Finland and the Government of the Republic of Kazakhstan, hereinafter referred to as “the Contracting Parties”,

Desirous of promoting the development of mutual trade and economic relations and expanding them on the basis of equality of rights and mutual advantage,

Desirous of enhancing the effectiveness of their economies, creating conditions for close cooperation and promoting the openness of global trading systems,

Having in mind the obligations of Finland as a member of the General Agreement on Tariffs and Trade² (GATT) and noting the intentions of the Republic of Kazakhstan to comply with the generally recognized standards and rules of international trade, including the standards and rules of GATT,

Have agreed as follows:

Article 1

The purpose of this Agreement shall be to promote trade and economic cooperation between Finland and the Republic of Kazakhstan on a mutually advantageous and long-term basis.

Article 2

The Contracting Parties shall grant each other most-favoured-nation treatment with respect to:

- Customs duties and charges applicable to imports and exports, including the means of levying such duties and charges;
- Regulations concerning customs clearance, transit, warehousing and reloading;
- Taxes and other domestic charges of any kind, levied directly or indirectly on imported goods;
- Methods of payment and of transferring such payments;
- Quantitative limitations on the volume of imports and exports;
- Rules for the sale, purchase, transport, distribution and utilization of goods on the domestic market.

The most-favoured-nation treatment specified above shall not, however, affect such advantages as the Contracting Parties grant or may grant:

- To countries with which one of the Contracting Parties participates in economic areas, customs unions or free trade areas that already exist or may be established in the future;

¹ Came into force on 15 September 1993, i.e., 30 days after the date on which the Contracting Parties had notified each other (on 16 August 1993) of the completion of their respective legal requirements, in accordance with article 12.

² United Nations, *Treaty Series*, vol. 55, p. 187.

- To developing countries on the basis of international agreements;
- To neighbouring countries for the purpose of developing trade in frontier areas.

Article 3

The export and import of goods and services and economic cooperation between Finland and the Republic of Kazakhstan shall take place by means of contracts concluded by bodies corporate and individuals in accordance with the legislation in force in each country.

Article 4

Payments for goods delivered and for services rendered shall be made in freely convertible currency.

In order to increase the circulation of goods and extend the range of goods in circulation, bodies corporate and individuals may engage in linked commercial operations, including barter deals, within the framework of the legislation in force in Finland and in the Republic of Kazakhstan.

Article 5

The competent organs of the Contracting Parties, within the framework of the legislation in force in each country, shall without impediment issue the necessary permits for the export and import of goods and services.

Article 6

1. The Contracting Parties shall endeavour to avoid situations of conflict in their reciprocal trade. If, nevertheless, the problems referred to in paragraph 2 of this article arise in trade between the Contracting Parties, they shall initiate consultations, no later than 30 days after the transmission by one of them of an appropriate request, within the framework of the Joint Commission referred to in article 11 of this Agreement. These consultations shall be directed towards finding a mutually acceptable solution to the problems that have arisen. Each of the Contracting Parties shall ensure that, except in the critical situations defined in paragraph 4 of this article, it takes no action until such consultations have taken place.

2. The provisions of paragraph 1 of this article shall apply if, in the course of their reciprocal trade, any goods are imported into the territory of one of the Contracting Parties in such increased quantities or under such conditions as to be, or threaten to be, damaging to the national producers of similar or directly competing goods. In that event, the Contracting Party requesting the holding of consultations shall make available to the other Contracting Party all information necessary for the detailed study of the situation that has arisen.

3. If, within a maximum of three months from the start of the consultations, the Contracting Parties fail to reach agreement on action to deal with the situation, the Contracting Party that has requested the holding of consultations shall be entitled to limit the import of the goods in question to the extent and for the period of time necessary to prevent or eliminate the damage.

4. In critical situations where a delay in the taking of measures may inflict damage that is difficult to obviate, the Contracting Party may take temporary protective measures. In that event, however, the Contracting Parties must immediately enter into appropriate consultations to resolve the situation that has arisen.

5. In choosing measures under this article, the Contracting Parties shall give priority to those that have the least adverse effect on the attainment of the purposes of this Agreement.

Article 7

In giving effect to this Agreement, the Contracting Parties shall take as a basis the principles of the General Agreement on Tariffs and Trade (GATT).

Article 8

In order to ensure the necessary preconditions for trade and other forms of economic cooperation, the Contracting Parties shall:

- Regularly publish laws and other normative instruments related to economic activity, including aspects of trade, investment, taxation, banking and insurance activities and other financial services, transport and working conditions;
- Immediately notify each other of changes in their legislation that might affect the implementation of this Agreement;
- Ensure the protection of industrial, commercial, and intellectual property rights;
- Provide protection for investments and create a favourable climate for them on the basis of the principles of non-discrimination and reciprocity, in particular with respect to the transfer of profits and the repatriation of invested capital.

Article 9

In order to promote trade and other forms of economic cooperation, including cooperation in the fields of industry and training, the Contracting Parties shall:

- Promote direct cooperation between enterprises and organizations in all fields of industry and production that are of interest to both Contracting Parties, and the participation of small and medium-sized enterprises in trade;
- Promote direct contacts between economic specialists in various fields, including management training;
- Encourage the organization of various forms of assistance to trade such as seminars, exhibitions and symposia.

Article 10

With a view to developing cooperation in economic fields, the Contracting Parties shall use every means of promoting the expansion and diversification of direct contacts between scholars, research workers and specialists, and between scientific research institutes and organizations.

Article 11

A Joint Commission shall be established to monitor the implementation of this Agreement and it shall have the task of making recommendations:

- On the development of trade and other economic and technological cooperation;
- On the resolution of any problems or disagreements in the application and implementation of this Agreement.

The Commission shall meet alternately in Finland and the Republic of Kazakhstan on the proposal of one of the Contracting Parties.

Article 12

This Agreement shall enter into force 30 days after the Contracting Parties have notified each other of the completion of the legal procedures required for its entry into force.

Article 13

This Agreement shall remain in force until six months after one of the Contracting Parties has denounced it and has notified the other Contracting Party thereof in writing.

DONE at Alma-Ata on 29 September 1992, in two original copies, in the Finnish, Kazakh, and Russian languages, all texts being equally authentic.

For the Government
of the Republic of Finland:

PAAVO VÄYRYNEN

For the Government
of the Republic of Kazakhstan:

S. TERESHTSHENKO
