

**No. 29490**

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**FINLAND  
and  
ESTONIA**

**Protocol regarding temporary arrangements on trade and  
economic cooperation (with annex). Signed at Tallinn on  
13 February 1992**

*Authentic text: English.*

*Registered by Finland on 27 January 1993.*

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**FINLANDE  
et  
ESTONIE**

**Protocole relatif à des arrangements temporaires de com-  
merce et de coopération économique (avec annexe).  
Signé à Tallinn le 13 février 1992**

*Texte authentique : anglais.*

*Enregistré par la Finlande le 27 janvier 1993.*

## PROTOCOL<sup>1</sup> REGARDING TEMPORARY ARRANGEMENTS ON TRADE AND ECONOMIC CO-OPERATION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE REPUBLIC OF ESTONIA

The Republic of Finland and the Republic of Estonia,

Desirous of creating favourable conditions for the development and diversification of trade and for the promotion of commercial and economic co-operation in areas of common interest on the basis of equality, mutual benefit and international law,

Taking into consideration the Final Act of the Conference on Security and Co-operation in Europe,<sup>2</sup> the Paris Charter,<sup>3</sup> and in particular the principles contained in the final document of the Bonn Conference on Economic Co-operation in Europe,<sup>4</sup>

Recalling the traditional trade and economic links between Finland and Estonia, and taking into account their respective levels of economic development,

Taking into account the respective economic policies of the Parties and the favourable effect of the economic transformation under way in Estonia on their trade and economic relations,

Noting that substantially all trade between Finland and Estonia has taken place without customs duties and charges having equivalent effect,

Determined to continue the liberalized trade regime between Finland and Estonia, *mutatis mutandis*, to the extent and under the conditions previously in force,

Resolved to develop further their relations in the field of trade in accordance with the principles of the General Agreement on Tariffs and Trade,<sup>5</sup>

Considering that no provision of this Protocol may be interpreted as exempting the Parties

from the rights and obligations devolving upon them from other international agreements,

Have agreed as follows:

### Article 1

The objective of this Protocol is to promote the expansion of trade and harmonious development of economic relations between the Parties and thus to foster in them the advance of economic activity, the improvement of living and employment conditions, increased productivity, financial stability and fair conditions of competition in their mutual trade.

### Article 2-

1. The trade between the Parties is conducted free of customs duties and other charges having equivalent effect.

2. The trade between the Parties is conducted free of quantitative restrictions or measures having equivalent effect.

3. This Article applies only to products which fall within Chapters 25—97 of the Harmonized Commodity Description and Coding System.<sup>6</sup>

4. The Joint Committee will decide on measures applicable to products which fall within Chapters 1—24 of the Harmonized Commodity Description and Coding System.

### Article 3

The Parties undertake to conduct their relations in the field of trade and economic endeavour in compliance with the principles and rules of the General Agreement on Tariffs and Trade done in Geneva on October 30, 1947.

<sup>1</sup> Came into force on 1 December 1992, i.e., the first day of the month following the exchange of the instruments of approval, which took place on 2 November 1992, in accordance with article 13.

<sup>2</sup> *International Legal Materials*, vol. XIV (1975), p. 1292 (American Society of International Law).

<sup>3</sup> United Nations, *Official Records of the General Assembly, Forty-fifth Session*, document A/45/859, p. 3.

<sup>4</sup> *International Legal Materials* vol. XXIX, No. 4 (1990) p. 1054 (American Society of International Law).

<sup>5</sup> United Nations, *Treaty Series*, vol. 55, p. 187.

<sup>6</sup> See "International Convention on the Harmonized Commodity Description and Coding System", in United Nations, *Treaty Series*, vol. 1503, p. 3.

## Article 4

The Parties shall explore all avenues to promote trade and economic co-operation between them including fostering a favourable climate for investments, joint ventures and subcontracting, facilitating trade promotion activities, protection of intellectual, industrial and commercial property rights and, as a temporary measure, utilizing barter, buy back and counter-trade arrangements in contracts between legal and physical persons when payments in freely convertible currencies are not feasible.

## Article 5

The Annex to this Protocol lays down the rules of origin.

## Article 6

The Parties undertake to examine, in light of any relevant factor, the possibility of developing and deepening their relations in order to extend them to fields not covered by this Protocol, in particular to investment protection, economic assistance as well as economic, industrial and scientific co-operation.

## Article 7

1. If any increase in imports of a given product originating in the territory of one of the Parties occurs in quantities or under conditions as to cause, or threaten to cause disruption to the domestic market or production of the other Party, the Party concerned may request that consultations on the situation be held without delay in the Joint Committee with a view to finding a mutually satisfactory solution.

2. The Party requesting such a consultation shall immediately inform the other Party of the disruption and supply the latter with all relevant information required for a thorough examination in the Joint Committee.

3. In the absence of any mutually satisfactory solution in the Joint Committee within three months of the matter being referred to it, the Party concerned may apply any safeguard measures necessary to remedy the situation.

4. Where exceptional circumstances requiring immediate action make prior examination impossible, the Party concerned may apply forthwith the precautionary measures strictly necessary to remedy the situation.

5. In the selection of measures under this Article priority must be given to those which least disturb the functioning of this Protocol.

## Article 8

1. A Joint Committee is hereby established, which shall be responsible for the administration of this Protocol and shall review its implementation. For this purpose it shall follow closely the development of the trade and economic co-operation between the Parties and take any such measure which is necessary to improve and further develop those relations. The decisions of the Joint Committee shall be put into effect by the Parties in accordance with their own rules.

2. For the purpose of the proper implementation of the Protocol the Parties shall exchange information and, at the request of either party, shall hold consultations within the Joint Committee.

## Article 9

1. The Joint Committee shall consist of representatives of Finland, on the one hand, and of representatives of Estonia on the other.

2. The Joint Committee shall act by mutual agreement.

3. The Joint Committee may decide to amend this Protocol.

## Article 10

1. Each Party shall preside alternately over the Joint Committee.

2. The Chairman shall convene the meetings of the Joint Committee at least once a year in order to review the general functioning of the Protocol. The Joint Committee shall, in addition, meet whenever special circumstances so require at the request of either Party.

3. The Joint Committee may decide to set up any working group that can assist it in carrying out its duties.

## Article 11

The Annex to this Protocol shall form an integral part thereof.

## Article 12

Either Party may denounce this Protocol by notifying the other Party. The Protocol shall cease to be in force three months after the date of such notification.

## Article 13

The Protocol will be subject to approval by the Parties in accordance with their own procedures. The documents confirming such an approval are to be exchanged through diplomatic channels. The Protocol shall enter into

force on the first day of the month following the exchange of such documents.

Done at Tallinn on February 13, 1992 in duplicate in the English language, both texts being equally authentic.

For the Government  
of the Republic of Finland:

ESKO AHO

For the Government  
of the Republic of Estonia:

TIIET VÄHI

## ANNEX

## RULES OF ORIGIN

## Article 1

The preferential treatment referred to in the Protocol shall in Finland be granted to products imported directly from and originating in Estonia upon presentation of a declaration of origin made on the invoice by the exporter or his authorized representative in Estonia.

## Article 2

For the application of the preferential treatment referred to in Article 1 above, products shall be taken to be of Estonian origin if they have been produced or manufactured in Estonia.

## Article 3

If the manufacture has taken place in two or more countries or if the products have been assembled of components manufactured in different countries, the country of origin shall be Estonia if the products have there been given their final form or shape after essential processing. Packaging, sorting and other minor operations are excluded from the concept of manufacture.

## Article 4

For the application of Article 1 of this Annex products originating in Finland, Latvia, Lithuania and the Republics of the Soviet Union shall have the same status as products originating in Estonia.

## Article 5

1. The declaration of origin referred to in Article 1 may be made out only if the goods covered by the invoice can be considered as products originating within the meaning of this Annex.

2. Where it is not possible to give the declaration on an invoice, the exporter or his authorized representative in Estonia may give the declaration of origin on a delivery note or any other commercial document which describes the products concerned in sufficient detail to enable them to be identified.

3. The text of the declaration of origin shall be as follows:

## ENGLISH

I, the undersigned, declare that the goods covered by the invoice are of Estonian (Finland, Latvia, Lithuania, Soviet Union\*) origin

in accordance with the provisions of the Protocol between Finland and Estonia.

Place and date  
Authorized signature

\*) Indicate the country of origin in question. Soviet Union means here the independent states that are situated in the territory of the former Soviet Union.

## FINNISH

Allekirjoittanut ilmoittaa, että kauppalakussa mainitut tavarat ovat Viron Suomen, Latvian, Liettuan, Neuvostoliiton\*) alkuperää. Suomen ja Viron välisen pöytäkirjan määräysten mukaisesti.

Paikka ja päiväys  
Valtuutetun allekirjoitus

\*) Mainitaan asianomainen alkuperämaa. Neuvostoliitolla tarkoitetaan tässä yhteydessä niitä itsenäisiä valtioita, jotka sijaitsevat entisen Neuvostoliiton alueella.

## ESTONIAN

Mina, allakirjutanu, deklareerin, et arveksitugil märgitud kaubad pärinevad Eestist Soomest, Lätest, Leedust, Nõukogude Liidust\*) vastavalt Soome ja Eesti vahelise Protokollil tingimustele.

Koht ja Kuupäev  
Volitatud isiku allkiri

\*) Märkige konesolev päritolumaa, kusjuures NSV Liidu all on mõeldud endise NSV Liidu territooriumil tekkinud šulmatuid nuke.

## Article 6

In order to ensure the proper application of this Annex, the Parties shall assist each other through their respective customs authorities in checking the authenticity and accuracy of declarations of origin. Where necessary for the application of Article 4, they shall also cooperate with the other customs authorities referred to in that Article.

## Article 7

The Joint Committee may decide to amend the provisions of this Annex, in particular to adapt them to the needs arising in the scope of the development of trade relations between the Parties concerned.

## Article 8

Where Estonia introduces a customs tariff, the exemption from duties and charges having equivalent effect referred to in the Protocol

shall be granted in Estonia for products imported from and originating in Finland according to provisions similar to those contained in Articles 2 to 5.

## Article 9

In the situation referred to in Article 8, the Parties shall study the need for the elaboration of more detailed provisions for the rules of origin.