

No. 32676

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**CANADA
and
UKRAINE**

Exchange of notes constituting an agreement to extend for two years, as between Canada and Ukraine, the 1956 Trade Agreement between Canada and the Union of Soviet Socialist Republics. Kiev, 18 April 1993 and 28 January 1994

Authentic texts: English and French.

Registered by Canada on 27 February 1996.

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**CANADA
et
UKRAINE**

Échange de notes constituant un accord prolongeant de deux ans, entre le Canada et l'Ukraine, l'Accord commercial de 1956 entre le Canada et l'Union des Républiques socialistes soviétiques. Kiev, 18 avril 1993 et 28 janvier 1994

Textes authentiques : anglais et français.

Enregistré par le Canada le 27 février 1996.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN CANADA AND UKRAINE TO EXTEND FOR TWO YEARS, AS BETWEEN CANADA AND UKRAINE, THE 1956 TRADE AGREEMENT BETWEEN CANADA AND THE UNION OF SOVIET SOCIALIST REPUBLICS²

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ ENTRE LE CANADA ET L'UKRAINE PROLONGEANT DE DEUX ANS, ENTRE LE CANADA ET L'UKRAINE, L'ACCORD COMMERCIAL DE 1956 ENTRE LE CANADA ET L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES²

I

CANADIAN EMBASSY

AMBASSADE DU CANADA

Kiev, April 18, 1993

Number 0576

Excellency,

I have the honour to refer to the Trade Agreement between Canada and the Union of Soviet Socialist Republics concluded in Ottawa on February 29, 1956² for a period of three years, "The 1956 Trade Agreement", and extended by the Protocol of April 18, 1960³ to April 17, 1963, by the Protocol of September 16, 1963⁴ to April 17, 1966, by the Protocol of June 20, 1966⁵ to April 17, 1969, by the Protocol of March 1, 1970⁶ to April 17, 1972, by the Protocol of April 7, 1972⁷ to April 17, 1976, by the Protocol of July 14, 1976 to April 17, 1981, by the Protocol of January 21, 1982 to April 17, 1986, by the Protocol of October 2, 1986 to April 17, 1991, and by the Protocol of April 17, 1991 to April 17, 1993.

¹ Came into force on 18 April 1993, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, vol. 252, p. 165.

³ *Ibid.*, vol. 399, p. 279.

⁴ *Ibid.*, vol. 869, p. 278.

⁵ *Ibid.*, p. 284.

⁶ *Ibid.*, p. 287.

⁷ *Ibid.*, vol. 936, p. 412.

¹ Entré en vigueur le 18 avril 1993, conformément aux dispositions desdites notes.

² Nations Unies, *Recueil des Traités*, vol. 252, p. 165.

Having taken note of the Alma Ata Declaration of December 1991, by which the Government of the Ukraine, as a successor state to the Union of Soviet Socialist Republics, agreed to respect the international obligations of the Union of Soviet Socialist Republics, the Government of Canada understands, based on this declaration, that the 1956 Trade Agreement between Canada and the Union of Soviet Socialist Republics governs the trade relations between Canada and the Ukraine.

I have the honour, on the instructions of my Government, to propose the extension of the 1956 Trade Agreement as between Canada and the Ukraine for a further period of two years from April 18, 1993 to April 17, 1995. I have the honour of further proposing that our two Governments undertake to conclude as soon as possible the negotiation of a new Trade Agreement to replace the existing 1956 Trade Agreement.

If this extension is acceptable to your Government, I have the honour to propose that this Note, which is authentic in English and French, and your Excellency's reply to that effect shall constitute between our two Governments, an agreement, extending the 1956 Trade Agreement, which shall enter into force as of April 18, 1993.

Please accept, Excellency, the renewed assurances of my highest consideration.

FRANÇOIS A. MATHYS
Ambassador

His Excellency Mr. Anatoly Zlenko
Minister
Ministry of Foreign Affairs
Kiev

II

MINISTRY OF FOREIGN AFFAIRS OF UKRAINE

DPU/67

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Embassy of Canada in Ukraine and, referring to the Embassy's Note No 0576 of April 18, 1993, has the honour to inform on the following.

After the Declaration of Ukraine's Independence in August 24, 1991 some practical questions on Ukraine's succession to bilateral international agreements of the former USSR are being raised in the process of international cooperation.

In this regard, the Ministry is pleased to inform that in accordance with the Ukrainian legislation, the Law of Ukraine "On Ukraine's Succession" of September 12, 1991 and the International Law, Ukraine is one of the former USSR's full successor-states, including the succession to international agreements.

That's given, the Ministry declares, that the Government of Ukraine agrees to timely use until April 17, 1995 in Ukraine-Canada relations the Trade Agreement of February 29, 1956, concluded between the former USSR and Canada, and if before this time the use of such agreement will not be impeded or in case of mutually agreed change of the Agreement's provisions.

The Government of Ukraine assumes that during this time both sides will conduct negotiations and make positive decision on concluding a new Ukraine-Canada Trade Agreement.

The present Ministry of Foreign Affairs' Note and the abovementioned Embassy's Note will be considered an agreement which is being in force from the date of the Embassy's Note, April 18, 1993.

The Ministry proposes to begin in near future Ukraine-Canada consultations on final settlement of Ukraine's succession to other international agreements concluded by the former USSR.

The Ministry of Foreign Affairs takes this opportunity to renew to the Embassy of Canada in Ukraine the assurances of its higher consideration.

Kiev, January 28, 1994