

No. 32476

**BRAZIL
and
BULGARIA**

**Agreement on trade and economic cooperation. Signed at
Brasília on 13 September 1993**

Authentic texts: Portuguese and Bulgarian.

Registered by Brazil on 31 January 1996.

**BRÉSIL
et
BULGARIE**

**Accord de commerce et de coopération économique. Signé à
Brasília le 13 septembre 1993**

Textes authentiques : portugais et bulgare.

Enregistré par le Brésil le 31 janvier 1996.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON TRADE AND ECONOMIC COOPERATION BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE REPUBLIC OF BULGARIA

The Government of the Federative Republic of Brazil and
The Government of the Republic of Bulgaria
(Hereinafter referred to as the “Contracting Parties”),

Desiring to expand and strengthen trade links between the two countries on the basis of the principles of sovereign equality of States and reciprocity,

With the broader objective of enhancing bilateral relations on a mutually advantageous basis,

Agree as follows:

Article I

The Contracting Parties shall, in conformity with their current domestic legislation, take the necessary action to promote and facilitate the development of economic and trade relations between the two countries within the scope of the conditions set out in this Agreement.

Article II

1. The Contracting Parties shall grant each other most-favoured-nation treatment by according to products coming from or exported to their respective countries treatment that is no less favourable than that accorded to similar products coming from or exported to any third country.

2. Any facilities, advantages and privileges granted by the Contracting Parties in respect of the import or export of products coming from a third country or sent to a third country shall be immediately applied to analogous products coming from or sent to the territory of one of the Contracting Parties. At the same time, non-discriminatory treatment shall be given in respect of quotas and licensing.

Article III

The provisions of article II shall not be applied to the advantages, facilities, privileges and exemptions which either Contracting Party grants or may in future grant:

(a) To adjacent countries, with a view to facilitating frontier transit and/or cooperation with frontier zones;

(b) To third countries by reason of their participation in a free trade area, a customs union or an economic integration agreement of which the Contracting Party is a member;

¹ Came into force on 28 September 1995, the date of the last of the notifications by which the Contracting Parties informed each other of the completion of the required internal procedures, in accordance with article XI (1).

(c) To third countries on the basis of agreements for the avoidance of double taxation; multilateral agreements in which the other Contracting Party does not participate; and cooperation agreements which, under the domestic legislation of the Contracting Party, make provision for exemptions granted solely pursuant to international instruments which contain express clauses allowing for such benefits;

(d) To the import of merchandise under programmes of assistance, of benefit to either Contracting Party, provided by third countries or by international institutions or bodies or any other international organization.

Article IV

1. Prices of merchandise traded under this Agreement shall be set in freely convertible currency unless the parties to a particular contract have stipulated otherwise.

2. Payments resulting from commercial contracts shall be made in freely convertible currency and in conformity with the exchange regulations in force in the two countries.

3. Neither Contracting Party shall impose limits, in conformity with its domestic legislation in force, on transfers from its territory of freely convertible currency resulting from trade conducted by natural or artificial persons of the other Contracting Party.

Article V

1. Trade shall be conducted on the basis of contracts between natural or artificial persons of the Federative Republic of Brazil and natural or artificial persons of the Republic of Bulgaria, such contracts to be concluded on the basis of independent commercial valuations and customary commercial considerations, and under the responsibility of those persons.

2. The Contracting Parties shall take the necessary steps to promote the expansion of trade contacts and foster the diversification of bilateral trade.

3. Each Contracting Party shall support and facilitate the holding, in its own territory and in that of the other Contracting Party, of promotional events that encourage trade relations, including fairs, exhibitions, missions and seminars. Similarly, each Contracting Party shall support and facilitate participation by its own natural or artificial persons in such events.

Article VI

The Contracting Parties, in conformity with their domestic legislation and regulations, shall exempt the following goods from customs duties:

- Testing or research materials;
- Samples of no commercial value and publicity material;
- Goods which, having already been imported or exported once from or to the Contracting Parties, have been repaired or replaced under warranty, and spare parts for such goods;
- Donations of a humanitarian, cultural or sporting nature.

2. The aforementioned goods and products shall not be traded, or used by third parties, for profit.

Article VII

Each Contracting Party shall grant, in conformity with its legislation, any and all types of transit facility, in its territory, for merchandise originating in the territory of the other country and destined for third countries and also for merchandise originating in third countries and destined for the other Contracting Party.

Article VIII

With a view to ensuring the implementation of this Agreement, the Contracting Parties shall form a Mixed Commission, to meet alternately in Brasília and Sofia.

Article IX

The Contracting Parties designate as bodies responsible for executing this Agreement: for the Federative Republic of Brazil, the Ministry of Foreign Affairs; and for the Republic of Bulgaria, the Ministry of Trade.

Article X

1. Any disputes which may arise in respect of the interpretation or implementation of this Agreement shall be resolved by direct consultations between the bodies referred to in article IX or through the diplomatic channel.

2. Any disputes which may arise in respect of the execution of contracts concluded under this Agreement shall be resolved in accordance with the specific provisions of the contract.

3. The provisions of this Agreement shall also apply to contracts concluded during the term of the Agreement and executed after it expires.

Article XI

1. This Agreement shall enter into force on the date of the latter of the notifications which the Contracting Parties exchange concerning completion of the domestic formalities required for the Agreement to come into force.

2. This Agreement shall be valid for a period of five years and shall be automatically extended for successive periods of three years unless either Contracting Party gives notice to the other by diplomatic note, at least 90 days before the end of the relevant period of validity, of its intention to denounce the Agreement.

Article XII

1. With the entry into force of this Agreement, the Agreement on Trade, Payments and Economic Cooperation between the Government of Brazil and the Government of Bulgaria, signed at Sofia on 22 April 1961,¹ shall be terminated.

2. The Central Bank of Brazil and the Foreign Trade Bank of Bulgaria shall take the necessary steps to close the clearing account provided for under the above-mentioned Agreement on Trade, Payments and Economic Cooperation.

¹ Should read "21 April 1961". United Nations, *Treaty Series*, vol. 888, p. 201.

DONE at Brasília on 13 September 1993, in duplicate, in the Portuguese and Bulgarian languages, both texts being equally authentic.

For the Government
of the Federative Republic
of Brazil:

CELSO LUIZ NUNES AMORIM
Minister for Foreign Relations

For the Government
of the Republic of Bulgaria:

VALENTIN KARABASHEV
Deputy Prime Minister
and Minister of Trade
