

TRADE AGREEMENT

Between the Government of the Republic of Armenia and the Government of the Islamic Republic of Iran

Preamble

The Government of the Republic of Armenia and the Government of the Islamic Republic of Iran, hereinafter referred to as the Parties,

Considering their mutual interest in strengthening and developing of trade ties and expanding and diversifying of cooperation based on equality, non-discrimination and maintenance of mutual interests,

Have agreed as follows:

Article 1

Scope of the Agreement

Commercial exchanges between the Parties and contracts concluded between natural and juridical persons of the two countries shall be carried out within the framework of the present Agreement and in conformity with the governing laws and regulations of each Party.

Article 2

Re-exportation to a third party

Commodities/Goods exchanged under the present Agreement between the two Parties might be, with the consent of the exporting Party, re-exported to third countries.

Article 3

The issuance of the certificate of origin

Each Party shall in accordance with its laws and regulations, take proper measures to issue certificates of origin for commodities/goods exported to the other Party. For this purpose, the commodities entirely produced and manufactured in Armenia shall be regarded as Armenian product.

Article 4

Customs duties and charges

Within the framework of this Agreement and subject to the existing law and regulations in each of the two countries, both Parties agreed to make their utmost efforts for the facilitation and promotion of mutual trade relations.

Custom duties and taxes levied by either Party on the products of the other Party shall not be in excess of the amounts applied to similar products of other countries.

Article 5 Privileges

The facilities granted on the basis of this Agreement will not include the following:

a) The privileges which one of the parties has granted or will grant to a neighboring country in order to facilitate the creation of the border trade.

b) The privileges which are granted or will be granted to a country in the free trade zone, customs unions or in the regional agreements.

Article 6 Taxes

The Parties agreed not to enact new or stricter regulations on taxes, customs duties, and other, owing dues on imports & exports, unless the following conditions are met;

- promulgation and exchange of the regulations by authorized bodies;
- expiration of three months from the date of the official information;
- prior arrangements for hearing of the complaints on taxes and customs.

Article 7 Non-tariff measures

The Parties in order to develop mutual commercial relations have agreed to reduce or eliminate the non-tariff obstacles or to the appendix which will be negotiated between the two Parties.

Article 8 System of currency, receipt and payment

All receipt and payment in foreign currency arisen from the application of the present Agreement and settlement of accounts shall be in the currency agreed upon between the Parties according to subsidiary agreements concluded by the central banks of the Parties.

Article 9 Participation in fairs

Each Party shall encourage its commercial companies and institutions to participate in international or specific fairs held in the territory of the other Party and shall as far as possible provide the commercial companies and institutions of the other Party with the necessary facilities.

Any enactment and collection or exemption of customs duties, taxes and other owing dues regarding the exports of either Party entered into the territory of the other Party for exhibition or fair-related purposes shall be in accordance with Facilities for the Importation of Goods for Display or use at Exhibition Fairs, Meetings or similar Events, Done at Brussels on 8 June 1961.

Article 10

Establishment of trade representation

In order to facilitate and develop the exchange of commodities/goods, services and trade information between the Parties each Party shall permit the other Party to establish a trade representation in its territory, The number of employees and the equipment and branches of the said office or center shall be determined through the future agreement of the Parties.

Article 11

Expansion and diversification of commercial relations

The Parties in order to develop commercial relations shall encourage their natural and juridical persons to implement international trade regulations, encourage their Chambers of Commerce to maintain close and effective cooperation, exchange of commercial delegations, and convenience of specialized seminars and conferences.

Article 12

Joint commission

The Parties agreed to establish a joint commission consisting of their representatives, which shall hold session annually, and alternately in the territory of each Party.

The functions/duties of the commission shall be as follows:

- a) supervision of the good performance of this agreement;
- b) presentation of solutions for elimination of difficulties which might arise from the performance of this agreement;
- c) review and study of ways to increase and diversify mutual trade and presentation of executive recommendations in this connection to the Parties.

Article 13

Settlement of disputes

In framework of this Agreement the disputes arisen between the Parties could be solved by friendly negotiations and consultations. In case of disagreement it should be solved by an arbitration tribunal which shall be formed by the representatives of both Parties, according to the legislation of Parties and regulations accepted in the international practice.

Article 14
Protection of public health and national interests

The provisions of the present Agreement shall not confine the rights of each party as for the imposition of any banning or restriction with regard to the protection of national interests, public health and/or prevention of diseases and animal or plant pests.

Article 15
Duration of the validity of the Agreement

The present Agreement shall come into force from the date of the last notification by one of the Parties to the other, indicating that it has complied with its constitutional requirements for entry into force of the present Agreement, and shall remain in force for a period of 5 years. After the expiration of this period the present Agreement shall be extended for one year periods unless either Party notifies the other in writing six months prior to termination of this period that it does not intend to extend the Agreement.

Upon termination of the validity of this Agreement, its provisions with regard to the contracts accordingly signed and are being executed shall be valid for one year after the termination of this Agreement at the latest, unless the Parties agree otherwise.

Done in one preamble and 15 Articles on 74.2.16 day of 6 May 1995 in two copies and three languages in Armenian, Persian and English all three texts being equally authentic.

In case of divergent interpretation the English text shall prevail.

The Agreement has entered into force on January 18, 1997.