



**TEXT OF CANADA-UKRAINE AGREEMENT
ON TRADE AND COMMERCE**

Signed in Kyiv March 13, 1994 (See Story on Page 2)

**THE GOVERNMENT OF CANADA AND THE
GOVERNMENT OF UKRAINE**

(hereinafter referred to collectively as "Parties" and individually as "Party"),

CONVINCED that the development of bilateral trade in goods and services will contribute to mutual understanding and cooperation between the people of Canada and of Ukraine;

CONSCIOUS that trade and commercial relations are essential elements of the bilateral relationship between Canada and Ukraine;

RECOGNIZING that the economic restructuring and progress towards a market-based economy in Ukraine is creating additional possibilities for expanded bilateral trade;

NOTING Canada's status as a contracting party of the General Agreement on Tariffs and Trade (GATT);

LOOKING FORWARD to the accession of Ukraine to the GATT on terms to be agreed between Ukraine and the GATT CONTRACTING PARTIES;

RECALLING the *Long Term Agreement to Facilitate Economic, Industrial, Scientific and Technical Co-operation* done on July 14, 1976, the *Agreement for the Avoidance of Double Taxation on Income* done on June 13, 1985, and the *Agreement for the Promotion and Reciprocal Protection of Investments* done on November 20, 1989;

REAFFIRMING their desire to further expand commercial relations in accordance with the principles and conditions of the Final Act signed in Helsinki on August 1, 1975, and other documents of the Conference on Security and Co-operation in Europe, notably the Document of the Bonn Conference on Economic Co-operation convened in accordance with the relevant provisions of the Concluding Document of the Vienna Meeting of the Conference on Security and Co-operation in Europe,

HAVE AGREED as follows:

**ARTICLE I
OBJECTIVE**

The objective of this Agreement is to establish a framework of balanced rights and obligations and agreed rules for the conduct of trade and commercial relations between Canada and Ukraine.

**ARTICLE II
DEFINITION OF TERMS**

Territory "Territory" means:

- with respect to Canada, the territory to which its customs laws apply, including any areas beyond the territorial seas of Canada within which, in accordance with international law and its domestic laws, Canada may exercise rights with respect to the seabed and subsoil and their natural resources; and
- with respect to Ukraine, the territory to which its customs laws apply, including any areas beyond the territorial seas of Ukraine within which, in accordance with international law and its domestic laws, Ukraine may exercise rights with respect to the seabed and subsoil and their natural resources.

Person "Person" of a country means a citizen or permanent resident of the country or a body corporate constituted under the laws applicable in, or principally carrying on its business within, the territory of the country.

Third Country "Third country" means any country other than Canada country or Ukraine.

Transit "Transit" means the passage across the territory of a country, with or without transshipment, warehousing, breaking bulk, or change in the mode or means of transport, when such passage is only a portion of a complete journey beginning and terminating beyond the frontier of the country across whose territory the traffic passes.

Textile Products "Textile products" means tops, yarns, piece-goods, products made-up articles, garments and other textile manufactured products (being products which derive their chief characteristics from their textile components) of cotton, wool, man-made fibres, or blends thereof, in which any or all of those fibres in combination represent either the chief value of the fibres or fifty (50) percent or more by weight (or seventeen (17) percent or more by weight of wool) of the product; artificial and synthetic staple fibre, tow, waste, simple mono- and multi- filaments, as well as textiles made of vegetable fibres, blends of vegetable fibres with fibres specified above, and blends containing silk, which are directly competitive with textiles made of fibres specified above and for which any or all of those fibres in combination represent either the

chief value of the fibres or fifty (50) percent or more by weight of the products.

**ARTICLE III
MOST-FAVOURLED
NATION TREATMENT**

1. Each Party shall accord to the like product of the other Party immediately and unconditionally, and irrespective of the nationality of the carrier, any advantage, favour, privilege or immunity that is or may hereafter be accorded by it to any product originating in or destined for the territory of any third country with respect to:

(a) customs duties and charges of any kind imposed on or in connection with importation or exportation of products or imposed on the international transfer of payments for imports or exports;

(b) the method of levying the duties and charges referred to in clause (a) of this paragraph;

(c) the rules and formalities connected with its importation or exportation;

(d) all internal taxes or internal charges of any kind imposed in connection with imported or exported products; and

(e) all laws, regulations and requirements affecting sale, offering for sale, purchase, transportation or distribution of imported products within the territory of the Party.

2. No prohibition or restriction, whether made effective through quotas, import or export licenses or other measures, shall be instituted or maintained by either Party on the importation of any product of the other Party or on the exportation or sale for export of any product destined for the territory of the other Party unless the importation of the like product of all third countries or the exportation of the like product