

## **AGREEMENT**

### **Between the Government of the Republic of Armenia, the Government of Turkmenistan and the Government of the Islamic Republic of Iran, on trade-economic cooperation**

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

According to Joint Communiqué on Tripartite Cooperation between the Republic of Armenia, Turkmenistan and the Islamic Republic of Iran which was signed by Foreign Ministers of the three states in Tehran on 8 April, 1995, corresponding to 19 Ferverdeen 1374, and considering their mutual interest in strengthening and developing trade and economic ties as well as expanding and diversifying cooperation based on equality, non-discrimination and maintenance of mutual interests of between the three countries,

Have agreed as follows:

#### **Article 1**

Mutual deliveries of goods and products between the countries and contracts concluded between juridical persons of the three states shall be carried out within the framework of the present Agreement, in conformity with the governing laws and regulations of each country as well as in accordance with the International trade norms.

#### **Article 2**

The Parties in the framework of the present Agreement and within the period of one month shall consider possibilities of carrying out supplies of goods and services from the Republic of Armenia to the Islamic Republic of Iran to the account of goods mass, specified in the Agreements between Turkmenistan and the Republic of Armenia on the supply of gas, petroleum products and other products from Turkmenistan to the Republic of Armenia on the basis of simultaneous compensation by the Islamic Republic of Iran to Turkmenistan by goods and services.

The Parties have agreed, within the period of one month after coordination of the programmes for mutual deliveries of goods and services, to nominate their authorized juridical persons to establish a trilateral trade venture with equal shares for each party.

#### **Article 3**

The Parties have recognized that the supply adjustment of the most important types of productions and goods shall be carried out on the basis of

annual protocols with nomenclature and volumes of productions and goods, which will be signed by bodies authorized by the Parties.

#### **Article 4**

Customs duties and taxes levied by either Party on the products of the other Party shall not be in excess of the amount applied to the similar products of other countries. Payments for mutual deliveries of goods and services shall be made at world prices. The terms of deliveries shall be determined on the basis of bilateral agreements.

#### **Article 5**

The Parties, for the purpose of development of trade relations between their states, have agreed to reduce or eliminate non-tariff obstacles or to grant reciprocally non-tariff preferences in certain cases, which will be mutually agreed upon.

#### **Article 6**

The Parties shall encourage the development of priority fields of cooperation, an effective system of banking interactions and credit relations, the adjustment of which will be determined by a separate banking agreement.

#### **Article 7**

The Parties shall support, in the field of mutual investments, the production integration of their nation economy, investment initiatives of the state and non-state sectors of economy in establishing joint ventures, in production activities, trade and in developing different types of services. The adjustment of this direction of cooperation shall be carried out in accordance with a separate agreement on the protection and guarantees of mutual investments.

#### **Article 8**

The Parties have recognized it necessary to regularly exchange information on the adopted legislative acts on the issues of market transformations, trade-economic and foreign economic relations as well as amendments in the systems of taxes, duties and customs fees.

#### **Article 9**

The Parties shall form a Joint Committee for the implementation of the present Agreement and working out of recommendations on the improvement of

the trade-economic cooperation. Sessions of the Committee shall be held by turns in the capitals of the states of the Parties but not less than once a year.

The Parties have recognized it necessary to hold urgent consultations through corresponding channels on the request of either of the Parties for the discussion of issues relating to the interpretation or implementation of the provisions of the present Agreement.

### **Article 10**

The Parties have agreed to encourage their Chambers of Commerce to maintain close and effective cooperation and, if necessary, to establish joint chambers of commerce, exchange of commercial delegations and hold specialized seminars, conferences, fairs and exhibitions to become familiar with each other's products and marketing as well as to provide required facilities for it.

### **Article 11**

The present Agreement shall not prevent the Parties from the implementation of their previously concluded international multilateral and bilateral treaties and agreements either between the Parties themselves or with third countries.

### **Article 12**

Other states, wishing to join the present Agreement, may do it on the conditions, which shall be coordinated between the joining states and the Parties that signed the present Agreement.

### **Article 13**

All issues which might arise from the implementation or interpretation of the present Agreement shall be first of all settled amicably through the diplomatic channels. In case no solution is reached, each Party may, observing the relevant rules and regulations, notify the other Parties of referring the case to an arbitral tribunal consisting of three arbitrators two of whom to be nominated by the Parties and one umpire.

In case of referring the matter to arbitration, each Party shall, within 60 days from the date of receipt of notification, nominate an arbitrator and the two arbitrators so nominated shall, within 60 days from the date of the last nomination, appoint the umpire. In case either Party fails to nominate its arbitrator in due time or the nominated arbitrators fail to agree on an umpire in due time, each Party may request the president of the International Court of Justice (ICJ) to appoint, as the case may be, the arbitrator of the refusing Party or the umpire.

The arbitral tribunal shall decide according to the following rules and regulations:

- a) Provisions of the Present Agreement;
- b) International Law;
- c) International Trade Law;
- d) Pertinent trade usages.

The arbitral tribunal shall determine its own internal rules and regulations of procedure. The seat of the arbitral tribunal shall be in a third state and the relevant expenses shall be equitably apportioned between the Parties. The award of the arbitral tribunal shall be final and binding upon the Parties.

#### **Article 14**

The present Agreement is concluded for the period of 5 (five) years and shall enter into force as from the date of the last written notification of the Parties on the completion of their domestic legislative procedures necessary for the approval of such kind of agreements.

After that its duration shall every time be automatically prolonged for the next year unless one of the Parties notifies the other Parties in writing of its intention to terminate the present Agreement 6 months prior to the date of expiry.

Done at Ashgabat on June 27, 1995, in three original copies, each in Armenian, Turkmen, Persian, Russian and English, all texts being equally authentic. In case of discrepancy of interpretation, the English text shall prevail.

***The Agreement has entered into force on July 9, 1997.***