

No. 33269

**ESTONIA
and
CANADA**

**Agreement on trade and commerce. Signed at Ottawa on
27 June 1994**

Authentic texts: Estonian, English and French.

Registered by Estonia on 17 October 1996.

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Accord de commerce. Signé à Ottawa le 27 juin 1994

Textes authentiques : estonien, anglais et français.

Enregistré par l'Estonie le 17 octobre 1996.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC
OF ESTONIA AND THE GOVERNMENT OF CANADA ON
TRADE AND COMMERCE

**THE GOVERNMENT OF THE REPUBLIC OF ESTONIA AND THE
GOVERNMENT OF CANADA** (hereinafter referred to collectively
as "Parties" and individually as "Party"),

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

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

RECOGNIZING that the economic restructuring and
progress towards a market-based economy in the Republic of
Estonia 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)² and
the Republic of Estonia's intention to accede to the GATT on
terms to be agreed between the Republic of Estonia and the
GATT CONTRACTING PARTIES;

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

¹ Came into force on 1 March 1995 by notification, in accordance with article XV.

² United Nations, *Treaty Series*, vol. 55, p. 187.

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;¹

HAVE AGREED AS FOLLOWS:

ARTICLE I

OBJECTIVE

The objective of this Agreement, as elaborated more specifically in its provisions, is to establish a framework of balanced rights and obligations and agreed rules for the conduct of trade and commercial relations between the Republic of Estonia and Canada.

ARTICLE II

DEFINITIONS

For purposes of this Agreement, unless otherwise specified:

"Territory" means:

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

¹ *International Legal Materials*, vol. XIV (1975), p. 1292; vol. XVII (1978), p. 414; vol. XXII (1983), p. 1395; vol. XXVIII (1989), p. 527; vol. XXIX, No. 4 (1990), p. 1054 (American Society of International Law); United Nations, *Official Records of the General Assembly, Forty-fifth Session*, document A/45/859, p. 3; and *International Legal Materials*, vol. XXXIV, No. 3 (1995), p. 764 (American Society of International Law).

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.

"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" means any country other than the Republic of Estonia or Canada.

"Transit" means the passage across the territory of a country, with or without trans-shipment, 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" means tops, yarns, piece-goods, 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 50 (fifty) per cent or more by weight of the products.

ARTICLE III

MOST-FAVOURED-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 has been 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 their 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,