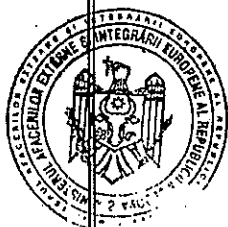




PROTOCOL
între Guvernul Republicii Moldova și Cabinetul de
Miniștri al Ucrainei cu privire la amendarea
Acordului privind Comerțul Liber între Guvernul
Republicii Moldova și Cabinetul de Miniștri al
Ucrainei, din 13 noiembrie 2003

Chișinău, 28 august 2021



COPIE CERTIFICATĂ
TEXT ÎN LIMBA ENGLEZĂ

PROTOCOL

between the Government of the Republic of Moldova and
the Cabinet of Ministers of Ukraine on amendments to the
Free Trade Agreement between the
Government of the Republic of Moldova and
the Cabinet of Ministers of Ukraine
dated November 13, 2003

The Government of the Republic of Moldova and the Cabinet of Ministers of Ukraine and (hereinafter referred to as the Parties) have agreed to amend the Free Trade Agreement between the Government of the Republic of Moldova and the Cabinet of Ministers of Ukraine dated November 13, 2003 (hereinafter referred to as the Agreement) as follows:

I. Article 9 "Rules for Identifying the Commodities' Origin" of the Agreement shall be stated as follows:

"1. For the purposes of the present Agreement and in order to identify the commodities, originated from the territories of the States of the Parties, the Parties shall be guided by:

Annex I and the related provisions of Annex II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, concluded in accordance with Council Decision 2013/94/EC dated March 26, 2012 (hereinafter – the Convention); with following possible amendments that apply and are included in the present Agreement and are an integral part of it, mutatis mutandis, or

Alternative rules of origin set out in Appendix A to this Protocol (hereinafter referred to as the Alternative rules).

Alternative rules shall be applied until the amendments to the Convention, which the alternative rules are based on, come into force.

2. The prohibition of drawback of, or exemption from, customs duties set in Article 14 of Annex I of the Convention and Article 16 of the Alternative rules shall not apply to bilateral trade under the present Agreement.

3. Article 30 of the Agreement shall apply to the settlement of any dispute regarding the interpretation or application of Annex I and the related provisions of Annex II to the Convention, including appendixes to them and to the Alternative rules.

4. If disputes arise in connection with verification of proofs of origin in accordance with Article 32 of Annex I to the Convention or Articles 34 and 35 of the

Alternative rules, which cannot be settled between the customs authorities requesting a verification and the customs authorities responsible for carrying out of this verification, they shall be submitted to the Working groups, established under the Agreement.

5. In all cases, disputes between the importer and the customs authorities of the importing State shall be settled in accordance with the law of that importing State.

6. Despite Articles 16 (5) and 21 (3) of Annex I to the Convention, where only the states of the European Free Trade Association, the Faroe Islands, the European Union, Turkey, participants in the EU Stabilization and Association Process, the Republic of Moldova, Georgia and Ukraine are involved in cumulation, proof of origin shall be movement certificate EUR.1 or an origin declaration.

7. As an alternative to the provisions on issuing movement certificates EUR.1, the Parties accept movement certificates EUR.1 issued in electronic form. The official requirements for the electronic issuance of movement certificates EUR.1 shall be agreed by the customs authorities of the Parties.

8. The customs authorities of the Parties shall exchange information on the readiness to issue electronic movement certificates EUR.1 and on all technical issues related to such use (issuance, submission and verification of an electronic certificate).

9. With the consent of the customs authorities of the Parties, paragraphs 1 and 2 of Annex III a to the Convention and the Alternative rules may not apply if the movement certificate is issued and confirmed in electronic form.

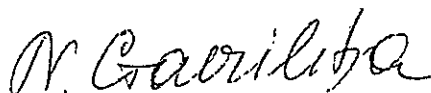
10. If there are inconsistencies and differences in the interpretation of the provisions of the Convention and the Alternative rules referred to in this Article, the English texts of the Convention and the Alternative rules shall prevail.”

II. This Protocol is an integral part of the Agreement and enters into force from the date of receipt of the last written notification of the completion by the Parties of the internal procedures necessary for its entry into force.

Made in Chisinau on 18 August 2021 in two valid copies, each in the Romanian, Ukrainian, English and Russian languages, each text being of equal force.

If there are inconsistencies and differences in the interpretation of the provisions of present Protocol, the English text shall prevail.

For the Government
of the Republic of Moldova



For the Cabinet of Ministers
of Ukraine



Prin prezenta confirm că textul alăturat este o copie autentică a Protocolului între Guvernul Republicii Moldova și Cabinetul de Miniștri al Ucrainei cu privire la amendarea Acordului privind Comerțul Liber între Guvernul Republicii Moldova și Cabinetul de Miniștri al Ucrainei, din 13 noiembrie 2003 (Chișinău, 28 august 2021), originalul căruia este depozitat la Arhiva Tratatelor a Ministerului Afacerilor Externe și Integrării Europene.



Olga Rotaru
Olga ROTARU,

Director a.i. al Direcției Drept
Internațional a Ministerului Afacerilor
Externe și Integrării Europene