Agreement between Ukraine and Canada on Economic Cooperation

The Government of Ukraine and the Government of Canada hereinafter referred to collectively as "Parties" and individually as "Party",

Desiring to strengthen the traditional links of warm friendship and the cordial relations that exist between the two countries, as reflected in the Declaration on Special Partnership signed on March 31, 1994;

Taking into Consideration the Agreement between the Government of Canada and the Government of Ukraine on Trade and Commerce, signed at Kyiv on March 31, 1994, and their Agreement for the Promotion and Protection of Investments, signed on October 24, 1994;

Recognizing that broader and more diversified links between their public and private sectors would be of mutual benefit;

Conscious of the importance of an open international trading system based on market principles and a liberalized regime for foreign investment;

Desiring to develop, promote and expand trade and investment, including through financial, industrial, scientific and technological cooperation between the two countries; and

Resolving to undertake new and energetic efforts to develop and expand this cooperation to their mutual benefit; Have agreed as follows:

Article I. OBJECTIVES

The objectives of this Agreement are to promote economic cooperation, trade and investment between the Parties, and to foster financial, industrial, scientific and technological cooperations between the companies, enterprises, Government agencies and other organizations of the Parties. The Parties will seek to attain these objectives through the expansion of two-way trade, the facilitation of reciprocal market access, and the identification of mutually beneficial commercial and investment opportunities.

Article II.

1. The Parties share a commitment to market principles with respect to international trade and foreign investment.

2. The Parties shall encourage and facilitate, and on the basis of fair and equitable treatment, direct contact and broader cooperation between their business and academic communities, associations, organizations, and Government agencies, as set out in paragraphs 3 through 5 of this Article.

3. The Parties shall exchange information on economic development priorities, national economic plans and forecasts, and other significant policies and developments that have an impact on economic relations between the two countries.

4. Each Party shall:

(a) promote and support trade and investment missions, market analyses, links between business communities and institutions, and other initiatives that bring together potential business partners; (b) provide appropriate trade, investment and market information to the other Party;

(c) provide appropriate information to the other Party at an early stage on significant forthcoming public sector industrial projects;

(d) identify and facilitate trade and investment opportunities by:

(i) ensuring that its laws, regulations, procedures and administrative rulings of general application respecting any matter covered by this Agreement are promptly published or otherwise made available to interested persons;

(ii) identifying specific projects and sectors of potential interest for cooperation;

(iii) informing its business communities of investment opportunities in the territory of the other Party;

(iv) encouraging the expansion of financial and banking cooperation;

(v) assisting in identifying appropriate sources of possible project financing;

(vi) ensuring the foreign investment and registration procedures are not unnecessarily burdensome;

(vii) facilitating, where appropriate, the staging of industrial fairs, exhibitions and other promotional activities;

(viii} encouraging business communities, particularly small and medium-sized enterprises, in their efforts to develop joint enterprises and other cooperative business activities;

(ix) facilitating, on the basis of reciprocity, the entry and exit of public and private sector experts, investors, business representatives, scientists, and technicians, as well as material and equipment necessary for the fulfilment of activities falling within the scope of this Agreement;

(x} encouraging joint activities between the companies, enterprises, and other organizations of the Parties, in exporting to third countries; and

(xi) reviewing impediments to trade and investment that might hinder achievement of the objectives of this Agreement, with the aim of eliminating such impediments.

5. The Parties shall encourage, support and facilitate:

(a) the exchange of information on technologies and know-how;

b) the conclusion of licensing arrangements and industrial consulting agreements;

(c) the industrial application of research and development results and the transfer of technology in order to promote the application, adaptation and improvement of existing and new high technology products, processes and management skills;

(d) initiatives to improve quality control and standards for products, notably those for export;

(e) joint projects or other collaborative ventures involving scientific and technological communities in the public and private sectors.

Article III.

The principal sectors of cooperation between the Parties may include the following:

(i) energy, particularly related to oil and gas exploration, and safety issues related to the generation of nuclear power;

(ii} agriculture, and food processing, including the storage, handling, distribution and manufacture of equipment;

(iii) conversion of the Ukrainian defence industry to civilian industries;

(iv) natural resources, including resource management in forestry and related industries, fisheries, livestock and mining, including geological exploration, mine development and metallurgy;

(v) telecommunications and information technology;

(vi) construction, particularly urban dwellings and building materials;

(vii) aerospace industry;

(viii) development of transport infrastructure, distribution services and manufacture of means of transportation and associated equipment;

(ix) environmental protection;

(x) professional business services, particularly in finance and privatization;

(xi) health care services and consumer health products;

(xii) petrochemicals;

and any other fields of cooperation as may be agreed.

Article IV. FINANCIAL SUPPORT FOR COOPERATION

The Parties reaffirm:

(a) the significance of credit and financial support, on mutually beneficial terms and conditions, for purposes of the stable and effective development of economic and commercial cooperation; and

(b) their continued readiness to cooperate within the framework of international financial institutions.

Article V. INTERGOVERNMENTAL ECONOMIC COMMISSION

1. The Parties hereby establish an Intergovernmental Economic Commission, comprising Ministerial- level representatives of the Parties or their designees.

2. The Commission shall:

(a) supervise the implementation of this Agreement;

(b) supervise the work of any committees and working groups established under this Agreement; and

(c) consider any other matter that may affect the eration of this Agreement.

3. The Commission may:

(a) establish, and delegate responsibilities to, ad hoc or standing committees, working groups or expert groups;

(b) invite business representatives of either Party to participate in its activities, or the activities of any committees, working groups or expert groups;

(c) consider issues related to the Agreement on Trade and Commerce; and

(d) take such other action in the exercise of its functions as the Parties may agree.

4. The Commission shall convene at periodic intervals in regular session, with meetings alternating between Canada and Ukraine. Regular sessions of the Commission shall be chaired successively by each Party.