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TRADE AGREEMENT
BETWEEN
THE GOVERNMENT OF THE FEDERAL DEMOCRATIC
REPUBLIC OF ETHIOPIA
AND
THE GREAT SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA

The Government of the Federal Democratic Republic of Ethiopia and the Great Socialist People's Libyan Arab Jamahiriya (hereinafter referred to as the Contracting Parties) inspired by the desire to promote and expand trade and thus to strengthen economic relations between the two countries on the basis of equality and mutual benefit, have agreed as follows:-

ARTICLE 1

The Contracting Parties shall take all appropriate measures to facilitate, strengthen, expand and diversify trade between them within the framework of this agreement subject to laws, regulations and rules enforce in their respective countries and to the relevant international laws to which the Contracting Parties have bound themselves.

ARTICLE 2

The Contracting Parties shall accord each other the Most-Favoured-Nation Treatment in all matters with respect to exchange of goods between the two countries. This provision, however, does not apply to:

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- a) advantages which either of the Parties has granted or may grant to its neighbouring countries to facilitate frontier traffics.
- b) advantages granted to either Party as a result of participation in a customs union or a free trade area to which either of the Party is or may in the future become a party.

ARTICLE 3

Commercial transactions between legal and physical persons and organizations duly authorized to carry out foreign trade, within the framework of this Agreement, shall be concluded in accordance with laws regulating foreign trade, which are in force in their respective countries.

ARTICLE 4

All payments between the two countries for the transaction concluded in the implementation of the present Agreement shall be effected in freely convertible currency in conformity with the laws and regulations in force in their respective countries.

ARTICLE 5

The Contracting Parties shall encourage participation of their businessmen in international fairs and setting up of a specialized exhibitions taking place in their respective territories. They shall also encourage exchange of visits of businessmen and trade delegation.



ARTICLE 6

The Contracting Parties, in accordance with the laws in force in their respective countries, shall exempt the following non-commercial goods and articles from custom duties, taxes and other charges for exhibition purposes:-

- (a) Samples of goods and advertising materials,
- (b) Goods and articles imported for fairs and exhibitions;

The goods and articles mentioned in (a) and (b) above cannot be sold in the respective country prior to the approval of the competent authorities and the settlement of the necessary customs duties and taxes.

ARTICLE 7

The Contracting Parties shall, in accordance with the respective laws and regulations in force in each of the two countries, facilitate the passage and transit of goods which;

- a) originate from the territory of the other country and destined for a third country; or,
- b) originate from a third country and are destined for the territory of the other country.



ARTICLE 8

- 1) The Parties shall encourage the prompt and equitable settlements of, and the adoption of arbitration for the settlement of disputes arising out of commercial transactions concluded between the natural and judicial persons of the Contracting Parties. Such arbitration may be provided for by agreements in contracts or in separate written agreements between them in accordance with internationally recognized arbitration rules or as the participants to the transaction may agree.
- 2) The arbitration may take place in any country which is a party to the United Nation Convention on Regulation and Enforcement of Foreign Arbitral Awards the provisions of which shall be respected by both Parties.
- 3) Nothing in the present Article shall be construed to prevent the Parties from agreeing upon any other form of arbitration or dispute settlement which they may mutually find preferable and may agree on as best suiting their particular needs.

ARTICLE 9

The provisions of this Agreement shall not limit the right of either party to apply prohibitions or restrictions on import, export and transit of goods:

- a) for reasons of protecting public health, public morals, orders and security;
- b) for the protection of plants and animals against disease and pests;
- c) to protect national treasure of artistic, historical and archeological values.
- d) to protect the deceptive practices regarding Trade Marks and Copy rights.



ARTICLE 10

In order to facilitate the implementation of this agreement a Joint Trade Committee which shall consist of representatives designated by the respective Governments, shall be established. The Committee shall meet every year alternately in Ethiopia and in Libya on a mutually agreed date.

Within the purview of this Agreement, the committee will:-

- (a) review the implementation of the provisions of this agreement,
- (b) examine measures for the solution of problems which arise or may arise in the implementation of this agreement or in the scope of development of trade between the two countries.
- (c) consider proposals made by either Contracting Party within the framework of this Agreement aimed at the further expansion and diversification of trade between the two countries.

ARTICLE 11

Amendments of, and/or supplements to this Agreement shall require exchange of letters and consents of both parties and it shall be made in writing, through the normal diplomatic channels and such amendments or supplements shall form an integral part of this Agreement.



ARTICLE 12

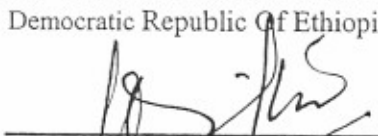
1. This Agreement shall formally come into force on the date of its ratification following the signature and shall thereafter remain enforce for a period of five years.
2. This Agreement shall remain enforce for a period of five years and shall be extended for successive periods of five years each, unless either Parties notifies the other Party in writing six months in advance of its intention to terminate the Agreement.
3. In case of termination of this Agreement, its provisions shall continue to apply to the contracts concluded during the period of its validity but not fully executed on the date of termination of this Agreement.
4. This Agreement shall replaces the "the Trade Agreement signed between the Contracting Parties" on June 25, 1977.

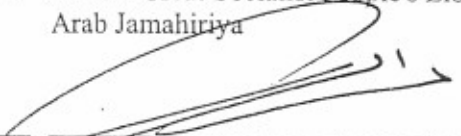
IN WITNESS WHEREOF, the undersigned, duly authorized thereto by their respective Governments, have signed this Agreement.

Done at Addis Ababa on this 27th day of January 2004 in four originals, in the English and Arabic Languages, both texts being equally authentic. Incase of discrepancy in interpretation the English text shall prevail.

For The Government Of the Federal
Democratic Republic Of Ethiopia

For the Great Socialist People's Libiya
Arab Jamahiriya


Fantaye Biftu
State Minister of Trade and
Industry


Abdul Rahman Mohamed Shalgam
Secretary of the General People's
Committee of the Foreign Liaison
and
International Cooperation