

AGREEMENT

Between the Government of the Republic of Armenia And the Government of the Arab Republic of Egypt On Customs Co-operation and Mutual Assistance

The Government of the Republic of Armenia and the Government of the Arab Republic of Egypt, hereinafter referred to as "the Contracting Parties",

Proceeding from the necessity of the development of the commercial and economic relation between the two countries,

Tending to establish cooperation and mutual assistance with the help of cargo turnover between the two countries in the field of customs control and the fight against customs offences,

Have agreed on the following:

Article 1

The terms used for implementing this Agreement shall mean:

- The term "Customs Legislation" shall mean all legislative and regulatory provisions applied by the Customs Administrations of the two Contracting Parties governing the import, export and transit of goods and their placement under any customs procedure, including measures of prohibition, restriction and control;
- The term "Customs Service" in the Republic of Armenia, the Customs State Committee under the Government of the Republic of Armenia, in the Arab Republic of Egypt, the Egyptian Customs Authority;
- The Term "Customs Offences" shall mean offences of customs legislation or an attempt to commit an offence;
- The term " Person" shall mean every natural and legal entity;
- The term "Narcotic Drugs" shall mean substances included into the nomenclature of the Unique Convention of Narcotic Drugs of 1961 with future amendments;
- The term "Psychotropic Substances" shall mean substances included into the nomenclature of the Convention of psychotropic Substances of 1971 with future amendments,
- The term "Customs Duties and Taxes" shall mean customs duties and all other duties, taxes, fees or other charges which are collected on or in connection with the importation or exportation of goods but not including fees and charges which are limited in amount to the approximate cost of services rendered;
- The term "Controlled Delivery" shall mean the procedure undertaken in the customs territories of the Contracting Parties on importing and exporting the illicit consignments or those suspected to contain narcotic drugs and psychotropic substances or the substituted substances and any goods transported illicitly under the supervision and the control of their competent authorities, with a view to identify persons involved in the illicit trafficking of these goods;
- The term "Transit" shall mean the transportation of the goods of one of the Contracting Parties through the territories of the other Contracting Party to a third country.

Article 2

For the purposes of the implementation of this Agreement the Contracting Parties shall undertake all the necessary measures to facilitate the customs control of transportation of cargo, passengers and mail deliveries, and to adopt the methods of that control as well as for the purpose of preventing the illicit importation, exportation, transit of cargo, means of transportation, passengers, mail deliveries, currency values which would harm the economic interests and other fields of the Republic of the Armenia and the Arab Republic of Egypt, in accordance with the provisions of the national legislation of both countries, and without a prejudice to the obligations of the Contracting Parties under any other international agreement in which they are Contracting Parties.

Article 3

The transit goods transported through the customs territories of the Contracting Parties shall pass through their territories in accordance with the legislation of their respective countries, without a prejudice to the applied provisions and legislation in both Contracting Parties.

Article 4

The Customs Authorities of the Contracting Parties shall reciprocally recognize customs documents, identification means (seals, stamps) and other official signs on the mail deliveries, cargoes and transportation means.

The Contracting Parties shall exchange the samples of customs documents and securities mentioned in this article.

Article 5

Upon the request of the Customs Authority of one of the Contracting Parties, goods, means of transportation, currency value and other items imported into the territory of one of the Contracting Party and rejected by one of the Control Authorities of the Contracting Party, shall be re-exported to the other Contracting Party, indicating the reasons of rejection on the relevant documents.

Article 6

In connection with all goods imported illicitly from the territory of one of the Contracting Parties to the territory of the other Contracting Party, the national customs legislation of the territory where the goods are located shall be applied.

Article 7

The Contracting Parties shall ensure the security of transit transportation during the whole period of time while remaining in their territories in accordance with the international rules related to transportation and the regulations of both Contracting Parties. The carrier shall bear the responsibilities of any shortage, damage and any offences in relation to the transit goods during the transportation.

Article 8

The Contracting Parties in accordance with legislation and provisions of their respective countries pursuant to this Agreement shall co-operate in order to prevent and investigate smuggling and Customs Offences as well as illicit trafficking of Narcotic Drugs and Psychotropic Substances.

Such information both verbal and written shall be considered as confidential.

Article 9

a) Documents and other information received in the framework of this Agreement may be used by the receiving Contracting Party solely for the purposes defined in this Agreement and only by the competent authorities, including their use in judicial or administrative proceedings. Such documents and other information may be used by the receiving Contracting Party for other purposes only with the consent of the providing Contracting Party for that.

b) Upon the request of the providing Contracting Party, documents and other information supplied to the other Contracting Party under this Agreement shall be regarded as confidential by the receiving Contracting Party.

c) Documents or other information provided on the basis of this Agreement shall be accorded the same degree of confidentiality that this country applies.

d) In cases where personal data are exchanged under this Agreement, the Contracting Parties shall provide the same protection as applied in the Contracting Party furnishing them, in accordance with the national legislation within the territory of its State.

Article 10

a) The Customs Administration of one Contracting Party may authorize its officials upon request of the Customs Administration of the other Contracting Party, to appear as experts or witnesses in judicial or administrative proceedings relating to the issues covered by the present Agreement in the territory of the other Contracting Party and produce files, documents or certified copies thereof, as may be needed for the proceedings.

The request for appearance must indicate specifically before which judicial or administrative authority the official will have to appear, on what matters and by virtue of what title or qualification the official will be questioned.

b) The requesting Administration is bound to take all necessary measures for the full protection of the personal security of the officials during their stay in its territory and the confidentiality of the testimony, under paragraph (1) of this article. The transport, accommodation and the daily allowances of these officials shall be covered by the Requesting Administration.

c) The request for appearance of Customs officials as experts and witnesses shall be made in accordance with the national legislation of the Contracting Parties.

Article 11

The Contracting Parties by their initiative and upon the request of the other Contracting Party shall submit each other information on the following:

a) The Persons who are known or suspected in dealing with smuggling and illicit turnover.

b) Transportation means, cargo and mail deliveries which are used for cargo turn over by smuggling

- c) The facts about revealing the smuggling and illicit turnover of drugs from the territory of Party to the other territory
- d) The methods of smuggling processes and the ways of discovering them.

Article 12

Assistance requests under this Agreement shall be submitted in writing documents necessary for its execution shall accompany the request.

Assistance requests shall include the following information:

- The name of customs service submitting the request
- The object and reason of the request
- The names and the addresses of the persons which are target of investigations, if known
- A brief description of the case under consideration and the relevant legal elements involved.

Correspondences exchanged under this Agreement shall be conducted in the official languages of the Contracting Parties with the translation into the English languages.

Article 13

The Contracting Parties in accordance with their legislation in the case of necessity implement the “Controlled Delivery“ method of drugs and psychotropic substances for the purpose of efficient fight against the illicit drugs trafficking.

Article 14

The Contracting Parties in accordance with their national legislation and pursuant to this Agreement shall co-operate in combating illicit exportation/importation of cultural values. The Customs Authorities of the Contracting Parties shall return each other the monuments, antiquities and other cultural values, which were illicitly imported from the territory of one Contracting Party to the territory of the other.

Article 15

a) In cases when the requested Contracting Party considers that responding to the request may be prejudicial to its sovereignty, security, public order or other essential areas of its national interests, it may refuse to provide the assistance or agree to provide it with certain conditions.

b) If the assistance is refused, the reason for the refusal shall be given in written form to the requesting Administration without delay.

Article 16

The Contracting Parties shall not claim any reimbursement of costs incurred during the implementation of this Agreement. The expenses and fees of the witnesses, experts and translators, who are not government officials, shall be covered by the requesting Contracting Party.

Article 17

The disputable issues connected to the implementation of this Agreement shall be solved through negotiations between the Customs Services of the Contracting Parties.

This Agreement shall be amended through mutual agreement between the Contracting Parties, and this amendment shall enter into force according to the procedures mentioned in article (19) of this Agreement.

Article 18

The Contracting Parties shall supply each other with information about their respective legislations in force connected with customs issues.

Article 19

This Agreement shall enter into force on the date of the last notification of the completion of the legal procedures applied in both countries.

This Agreement shall remain in force for an indefinite period of time, unless one of the Contracting Parties inform in writing the other Contracting Party about its intention to terminate the operation of the Agreement before six months of the termination date.

Done in Cairo on 15 April 2007, in two originals, in Armenian, Arabic and English languages, all texts being equally authentic. In case of divergence of interpretation, the English text shall prevail.

The Agreement has entered into force on 01.04.2008