

**TRADE AGREEMENT BETWEEN THE
GOVERNMENT OF INDIA AND THE
GOVERNMENT OF THE
REPUBLIC OF CUBA
New Delhi, 9 July 1979**

The Government of the Republic of INDIA

AND

The Government of the Republic of CUBA,

RE-AFFIRMING the traditional ties of friendship between their people, and actuated by the common desire to promote and expand the trade relations between the two countries in a spirit of reciprocity and mutual benefit,

HAVE agreed to as follows :

Article I

Each Contracting Party shall, within the framework of its rules and regulations, facilitate, to the maximum extent possible, the export of goods to, and import of goods from, the territories of the other Contracting Party.

Article II

- (a) The Contracting Parties shall accord to each other most favoured nation treatment in respect of import and export licences, customs duties and all other charges and taxes applicable to importation, exportation or transit of commodities.
- (b) The Contracting Parties shall grant each other, in respect of import and export licences or permissions where such licences/permissions are prescribed under their regulations, treatment no less favourable than that granted to any other country.

Article III

Any advantages, favours, privileges or immunities granted by either of the Contracting Parties to any product originating in the territory of a third country and destined for its territory shall be granted immediately and unconditionally to the like product originating in the territory of the other Contracting Party and destined to be imported into its territory.

Article IV

The treatment of the most favoured nation shall not apply to the following advantages and privileges :

- (a) Advantages accorded by either Contracting Party to contiguous countries for the purpose of facilitating frontier traffic.
- (b) Preferences, or advantages, accorded by either Contracting Party to any country, as existing on the date of conclusion of the present Agreement or in replacement of such preferences or advantages that existed prior to the 10th April, 1947.
- (c) Any advantages or preferences accorded under any scheme for expansion of trade and economic cooperation among developing countries which is open for participation by all developing countries and to which either of the Governments is or may become a party.
- (d) Advantages and preferences resulting from a customs union and or free trade area of which either country is or may become a party.

Article V

The trade between the Contracting Parties shall be carried out according to the enclosed indicative lists "A" and "B". This Agreement shall not exclude the exchange of goods not mentioned in the aforementioned lists.

Article VI

All payments and charges in connection with the commercial transactions between the two countries shall be made in convertible currency acceptable to both the Governments in accordance with the foreign exchange regulations in force in their respective countries.

Article VII

- (1) The supply of goods and commodities between the Contracting Parties shall be made on the basis of commercial contracts to be

concluded between their State Trading Organisations or juridical or natural persons who engage in foreign trade in their respective countries.

- (2) The prices of the products to be exchanged and the other terms of the contracts shall be fixed according to the prevailing international prices and terms.

Article VIII

The Contracting Parties agree on that the goods exported from either country to the other shall not be re-exported to a third country without previous consent of the competent authorities of the exporting country.

Article IX

In order to facilitate the implementation of this Agreement and to develop and promote the economic and commercial relations, the Contracting Parties have agreed to establish a Joint India-Cuba Committee. The Committee shall meet alternatively in Delhi and Havana at the request of either Contracting Party.

The Committee shall be responsible for the following :

- (a) To amend the lists "A" and "B" referred to in Article V of this Agreement whenever deemed to be necessary.
- (b) To examine the commercial exchange flow between the two countries and to formulate all recommendations, procedures, and suggestions necessary for promotion of this exchange.
- (c) To find solutions for the difficulties which may arise during the implementation of this Agreement.

Article X

In order to further the objectives of this Agreement, each Government shall, in accordance with the laws and regulations and observance of customs and other administrative formalities of its country, facilitate to the maximum extent possible :

- (a) The interchange of commercial and technical representatives or delegations between the two countries.
- (b) The holding, within its country, of trade fairs, trade exhibitions and other trade promotion activities by foreign trade enterprises and organisations of the other country.
- (c) The importation from the other country of articles required for display at fairs, exhibitions or similar events, as well as samples

of goods for advertising purposes that are not subjected to customs duties or taxes established in accordance to the laws and regulations enforced in both countries as long as these goods are not meant for sale.

- (d) The use of Free Trade Zone by the organisations of the other Contracting Party.

Article XI

The Contracting Parties shall make the utmost efforts in order to adopt the necessary measures for the strengthening and developing of economic and technical cooperation between the two countries within the frame of their laws and regulations in force.

Article XII

The Contracting Parties agree that provisions of this Agreement shall be valid after its expirations for the performance of the contracts signed according to its clauses and during its validity, until such contracts are entirely performed.

Article XIII

This Agreement shall be in force from the date of the exchange of notes confirming ratifications by both Governments according to the constitutional procedures of each country.

Article XIV

This Agreement shall remain valid for three years. Thereafter, it shall be automatically renewed each year, unless either Contracting Party notifies the other in writing of its intention to terminate the Agreement at least three months prior to the date of its expiration.

DONE at New Delhi on the 9th July 1979 in triplicate, in the Hindi, Spanish and English languages, all the three texts being equally authentic, provided that in case of discrepancy, the English text shall prevail.

For the Government of India

For the Government of Cuba

Sd/-

KRISHAN KUMAR GOYAL
Minister of State for Commerce,
Civil Supplies & Cooperation

Sd/-

ANGEL GOMEZ TRUEBA
Vice President of the State
Committee for Economic
Collaboration

INDICATIVE LIST "A"*EXPORT PRODUCTS OF THE REPUBLIC OF CUBA*

1. Nickel Oxide
 2. Nickel Sinter
 3. Cement
 4. Steel balls (forged)
 5. Alcohol natural
 6. Construction material
 7. Part-equipments for sugar mills
 8. Industrial and Agricultural equipments
 9. Basic pharmaceutical products
 10. Minerals
 11. Rayon fibres
 12. Other products.
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INDICATIVE LIST "B"*EXPORT PRODUCTS OF THE REPUBLIC OF INDIA*

1. Spices
 2. Tyres
 3. Chemicals and Pharmaceutical products
 4. Dyestuffs
 5. Textile machinery
 6. Aluminium ingots
 7. Copper wires and tubes
 8. Electric and telephone wires-cables
 9. Nuts and bolts
 10. Hand tools
 11. Rail transport - maintenance equipment, Rolling stock and equipment.
 12. Machinery, electric
 13. Motors switchgears (including pumping sets)
 14. Other products.
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