

3. In international traffic, the merchant vessels of the Republic of Kazakhstan, merchant vessels chartered by persons of the Republic of Kazakhstan, and the cargoes of such vessels shall during arrival, stay at and departure from the seaports of Canada, enjoy most-favoured-nation treatment, including access to harbour services. This provision shall not apply to pilotage.

ARTICLE X

TERMS OF PAYMENTS

1. Subject to the laws and regulations in force in Canada and the Republic of Kazakhstan, all payments in respect of trade between the two countries shall be made on terms agreed upon by the persons who signed the commercial contracts on the basis of which that trade is performed, in any form accepted in international banking practice.

2. Neither party shall require or encourage persons subject to its jurisdiction to engage in barter or countertrade transactions as a condition of bilateral trade between Canada and the Republic of Kazakhstan.

ARTICLE XI

TRADE-RELATED FINANCE

The Parties shall endeavour to enhance the relationship between the Export Development Corporation of Canada, or its successor or successors, and the authorized agency of the Republic of Kazakhstan, or its successor or successors, especially in relation to financing trade in capital goods and services based on reasonable assessments of commercial risk and, where appropriate, based on sovereign or state risk guarantees.

ARTICLE XII

LAW APPLICABLE TO CONTRACTS AND SETTLEMENT OF COMMERCIAL DISPUTES

1. Neither Party shall interfere with the freedom of persons subject to its jurisdiction to agree with persons of the other Party on the choice of law to govern the conclusion and performance of contracts between them.