

and treaties law (S): International

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Title of legislation: Law No. 19 of 2016 Ratification of a cooperation agreement between the Government of Iraq and the Government of the Islamic Republic of Iran In the field of plant protection and agricultural quarantine

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:Note

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Number of Articles: 5 Articles of

:Legislation

Reliance

[Article](#) in accordance with the provisions of Article (1) of [.of the Constitution \(73\)](#)

. [Article \(2\) of the Constitution](#) of ([61](#)

The President of the Republic decided on 4/8/2016 to

:issue the following law

Article 1

The Republic of Iraq ratifies a cooperation agreement between the Government of the Republic of Iraq and the Government of the Islamic Republic of Iran in the field of .protection and quarantine signed on 3/8/2015 plant

. This law will be effective once it is published in the formal newspaper

Fouad Masoum
President of the Republic

Positive reasons

The aim of the agreement is to strengthen cooperation in the field of plant protection and control of pests related to plants and products and to prevent their spread .between the two countries

**Cooperation Agreement between the Government of the
Republic of Iraq
And the Government of the Islamic Republic of Iran
In the field of plant protection and quarantine**

Text of the Convention

The Government of the Republic of Iraq and the Government of the Islamic Republic of Iran referred to in the text of the Convention as "Parties" and knowing the usefulness of international cooperation in the field of plant protection, control and quarantine of plants and plant products and the protection of both countries from the spread of pests that are subject to quarantine, To promote scientific, technical, economic and commercial relations and to coordinate in taking the actions required

to achieve the said objectives, they have agreed to act in accordance with the obligations and conditions stipulated in this Agreement in accordance with the following:

Article 1: Definitions: For the

:The terms used in this Agreement are as follows , purposes of this Agreement

.Plants: Live plants or parts thereof, including seeds and germplasm

Plant products: Non-manufactured materials of plant origin, including grains and processed materials, which may be due to their nature or method of processing, a risk of entry and spread of pests

Any species, strain, or biological pattern of plant or animal organisms or any agent causing the disease or harmful to plants or plant products

Agricultural Quarantine: A crop that has the potential economic importance of the threatened area but which is not yet present or located in it but is not widespread and subject to official control

Deployment: The existence of a scourge in an area and the official declaration of it as local, or external to this area and has not officially announced the destruction or elimination

.Injury: The existence of a live lesion in a plant or vegetable product

Detection: An official virtual inspection of plant, plant products or other materials to determine the presence of a certain pest or fixation of its compliance with the phytosanitary rules

Treatment: Official measures to combat, disable or eliminate plant pests to prevent their effectiveness and reduce plant reproduction

Components: Any plant, plant products, storage, storage, transport, containers, soil, or any living elements, objects or materials capable of transporting or spreading special pests during international transport

Consignment: The quantity of plants, plant products and / or components that are transported from one country to another under a health certificate and the transmitter may include one or more goods and / or employee goods

Stone lesions: Identification of new lesions including the appearance of a modern lesion in a particular area that has not yet stabilized, but is expected to survive and

remain in the near future or to multiply abruptly and markedly to a species already present in the designated area

Article 2: Competent authorities of the Contracting Parties to implement this Agreement are
competent Authorities The

The Iraqi side of the Ministry of Agriculture of the Republic of Iraq -
The Iranian side is the Ministry of Jihad of Agriculture in the Islamic Republic of -
Iran

The implementation of this Agreement shall be pursued by the competent parties through diplomatic channels

Article 3 - Exchange of information

1. The Parties shall undertake to exchange information on the spread of quarantine pests on their soil as well as the methods of control and surveillance annually in the spring of each year. If quarantine pests occur in the territory of either Party, the other Party shall provide, as soon as possible, information on all measures taken to destroy it. Monitor them

2. The Parties shall exchange a copy of the laws and regulations in force in the field of

plant protection, quarantine and a list of quarantine pests
These .inform each other of any change in the laws, rules and list mentioned above
.changes will take effect 60 days after notification by the other party

3. The Parties shall endeavor to assist in the field of cooperation between research institutes between the two countries in the field of plant protection and quarantine, in particular joint research

4. The Parties shall exchange the latest scientific and technical expertise in the field of plant protection, quarantine and pest control

5. Neither party shall be entitled to provide information and results obtained under this Agreement to a third party without the consent of the other party

Article 4: Provisions relating to importation and preventive measures

1. The Parties shall endeavor to take necessary measures for the detection or

laboratory examination when necessary and to treat plants or plant products and their means of transport to prevent the transmission of quarantine pests to the territory of the other Party

Any plant or plant products that may be exported to the territory of the other Party shall be subject to the legal procedures relating to the quarantine of the importing Party. In order to control and prevent the introduction and spread of quarantine pests, each party may

Demand for additional phytosanitary measures in relation to the importation of plants, plant products or constituents. In case of serious risk of quarantine pests, the importation of certain goods is prohibited or restricted, or compliance with certain procedures requiring treatment is required

B - identify and announce entry points to import the shipments of plants and components

C - Prevent and / or restrict the entry of biological control elements and genetically modified plants to their territories

In order to prove the absence of quarantine pests, the two parties shall have the right, regardless of the existence of the phytosanitary certificate, to detect, examine and take samples of imported items from plants and plant products. In the event of a quarantine, the shipment must be treated and / or returned. And in this case the other party shall be notified in writing

The Parties shall know about the prevention of the importation of soils, the use of dry grasses and hay, and any materials with a vegetable structure for packing the imported consignment, for the possibility of quarantine pests

Article 5: Phytosanitary Certificate

Any import or export consignee transferred from the territory of the First Party to the other Party shall be accompanied by a phytosanitary certificate issued by the competent authorities of both Parties

Both parties shall be bound to sponsor the laws and regulations of plant protection for the other party when issuing consignment to its territory

The health certificate shall be issued by the competent authorities and shall remain valid for 30 days from the date of issue

The original health certificate shall be adopted in English and the official language of each of the Parties. Any correction, deletion or omission in the text shall result in the non - adoption of the said certificate

Article 6: Conditions for re-export

To re-export the consignments, attach the original or a copy of the health certificate from the country of origin with a phytosanitary re-export certificate issued by the Contracting Parties

Article 7: Transit

Passports may be carried out in accordance with the quarantine laws and regulations State Party through which the territory is crossed and after the submission of the phytosanitary certificate from the exporting State

Article 8 Joint Procedures

Joint phytosanitary inspection and laboratory testing shall be carried out with advance arrangements for consignments exported and imported from the territory of one of the Parties to the other Party which is considered to be a quarantine risk. Either party should provide the necessary inspection and testing equipment

ARTICLE 9 RELATIONSHIP WITH OTHER AGREEMENTS The provisions of this Agreement shall not affect the rights and obligations of the Parties resulting from the international conventions to which the Parties are members

Article 10: Resolution of Disputes

Disputes resulting from the interpretation and implementation of the Convention shall be resolved through bilateral negotiations. If the dispute is not resolved according to item (1), the two parties can review the - Director of the Food and Agriculture Organization of the United Nations (FAO) and demand the appointment of a group of specialists to resolve the dispute in accordance with the laws and rules of the Food and Agriculture Organization of the United Nations

.2 This Committee shall include representatives from both Contracting Parties
.3 The Parties agree to abide by the decision of the Commission and if they are not
.4 obliged to implement, but take as a basis to discuss the issue of dispute
The Parties shall pay the costs of the Competent Authority in accordance with the
.laws and rules of their country

Article 11: Amendment to the Convention

This Agreement shall be amended by written agreement between the Parties to the
And any .Protocols, which shall be deemed to be an integral part of this Agreement
.amendment made in accordance with the provisions of Article XII of this Agreement

:Article 12

This Agreement shall enter into force after the thirty-first day of the date on which the
And shall .parties announce the necessary procedures and for a period of five years
be renewed automatically for a similar period unless one of the parties informs the
other party of its desire to cancel it. This Agreement shall remain in effect until the
expiry of six months from the date of receiving notification by one of the Parties
.through diplomatic channels of its desire to terminate it

Done and signed this agreement in Tehran on 3/8/2015 corresponding to 12/5/1394
Hijri solar in two copies in Arabic, Persian and English for each of the authoritative
and in the case of any difference in the interpretation of the text is reviewed in
.English

of Republic Islamic the For the Government of the Republic of Iraq for

Iran

Minister of Agriculture and Minister of Jihad and Agriculture

Falah Hassan Zaidan Mahmoud Hajti