

# Trade Agreement between the Government of the Kingdom of Sweden and the Government of the Republic of Senegal

The Government of the Kingdom of Sweden and the Government of the Republic of Senegal, desiring to enhance the bonds of friendship between the two countries; desiring to develop their trade, have agreed as follows:

## Article 1.

The Parties shall grant each other the most favoured nation treatment customs in the field as well as to all regulations and formalities, taxes and special rights in relation to the import, export and transit of goods.

However, the most favoured nation treatment shall not include:

- a) Advantages which either Contracting Party accords or grant to adjacent countries in frontier traffic;
- b) The benefits that Sweden accorded or will accord to Denmark, Finland, Iceland, Norway or the European Free Trade Association;
- c) The benefits that Senegal accorded or will accord to the Member States of the European Economic Community, of the African and Malagasy Common Organization, Organization of African Unity, the Senegal river and coastal States members of the Customs Union of West Africa;
- d) Advantages to be granted or granted to the countries covered with one of the Contracting Parties, of a customs union, a free trade area or similar international agreement.

## Article 2.

Subject to the general restrictions on imports legally established, the trade in goods between the two Contracting Parties shall be made in accordance with the annexed lists A and B to this Agreement. These two list are not exhaustive.

## Article 3.

The competent authorities of the contracting parties will attract at such times as deemed appropriate, the export and import of the possibilities for trade.

## Article 4.

With a view to promoting trade between the two countries, each Contracting Party may participate in fairs and exhibitions in the territory of the other.

## Article 5.

Each Contracting Party shall, in conformity with the laws and regulations of its country, exempt from customs duty samples of goods originating in the other country if they are no commercial value.

## Article 6.

In accordance with the laws and regulations of each country shall accord each other Governments the suspension of customs duties on goods imported temporarily in their countries that are intended for trade fairs and exhibitions.

## Article 7.

In order to facilitate trade, each Contracting Party undertakes to provide, at the request of the other, all relevant information concerning the issuance of import and export authorizations and opportunities for supply and purchase of goods and products originating in each country, including those listed in Lists A and B annexed.

## **Article 8.**

In order to ensure the effective implementation of the provisions of this Agreement shall be established between the two Contracting Parties a joint committee.

This committee shall meet as necessary alternately in the capital of the State, at the request of either Contracting Party, be composed of representatives of both Governments. It may propose any measure likely to promote the development of reciprocal trade. It may include supplement or amend the lists annexed to this Agreement. The recommendations or conclusions of the Joint Commission shall be subject to the approval of both Governments.

## **Article 9.**

Each of the Contracting Parties shall refrain from any action which hinders discriminatory trade participation in international transport of merchant ships flying the flag of the other party.

This provision shall not apply to cabotage navigation, as determined by the laws and regulations in force in both countries.

## **Article 10.**

The merchant ships flying the flag of one of the Contracting Parties and shipments in regard to enjoy the rights and privileges for entry and exit and stay in the other Contracting Party ports of the same treatment that vessels of the party or the most-favoured-nation treatment.

## **Article 11.**

Any matter concerning insurance relating to maritime transport and commercial traffic between the contracting parties will be settled freely between importers and exporters of both parties.

## **Article 12.**

The property, rights and interests of nationals, foundations, associations and societies of a Party in the territory of the other Party shall be treated in a just and equitable manner, in accordance with international law and the domestic laws of the Parties, in at least the same manner as is accorded by each Party to its own nationals or, if more favorable, in the manner accorded to MFN nationals, foundations, associations or societies.

Each Contracting Party undertakes to allow the nationals, foundations, associations and companies of the other Contracting Party to transfer the capital invested and its income and, in the event of liquidation, the funds deriving therefrom.

Nationals, foundations, associations or companies of one of the Contracting Parties may be deprived of their property in the territory of the other Party only for reasons of public interest.

If a contracting party expropriates or nationalizes property, rights or interests belonging to nationals, foundations, associations or companies of the other party or takes any other direct or indirect measure of dispossession against such nationals, foundations, associations or companies, it shall provide for the payment of effective and adequate compensation in accordance with the law of nations. The amount of such compensation, which shall be fixed at the time of expropriation, nationalization or dispossession, shall be transferable and shall be paid without undue delay to the rightful owner, wherever he resides. However, the measures of expropriation, nationalization or dispossession shall not be discriminatory or contrary to any particular undertaking.

## **Article 13.**

If a dispute arises between the Contracting Parties concerning the interpretation or application of the provisions of Article 12 above and if the dispute cannot be settled within six months by diplomatic means, it shall be submitted, at the request of either Party, to an arbitral tribunal of three members. Each Party shall appoint one arbitrator. The two arbitrators appointed shall designate a presiding arbitrator, who shall be a national of a third State.

If the first Party has not complied with the request of the other Party to appoint an arbitrator within two months, the arbitrator shall be appointed by the International Court of Justice at the request of the last Party.

If the two arbitrators are unable to agree on the choice of the third arbitrator, who shall also be the chairman, within two months of their appointment, he shall be appointed by the President of the International Court of Justice at the request of one of the parties.

In the cases referred to in paragraphs 2 and 3, if the President of the International Court of Justice is incapable of acting or is a national of one of the States, the names shall be authenticated by the Vice-President. If the latter is incapable of acting or is a national of one of the two States, the names shall be authenticated by the longest-serving member of the Court who is not a national of one of the two States.

Unless the parties agree otherwise, the arbitral tribunal shall determine its own procedure. The arbitral tribunal shall decide by majority vote.

The decision of the arbitral tribunal shall be binding on the parties.

Each party shall bear the costs of the arbitrator appointed by it. The parties are requested to share equally the costs incurred by the chairman of the arbitral tribunal as a result of his work.

## **Article 14.**

This Agreement shall enter into force following an exchange of Notes confirming that the constitutional requirements have been met. (1)

The agreement is valid for one year and may be tacitly renewed from year to year if notice is given three months before expiry.

In the event of termination, the provisions of Articles 12 and 13 shall continue to apply for ten years to investments made prior to termination.

(1) This meeting took place in Stockholm on February 23, 1965.

Done at Dakar on 24 February 1967 in duplicate in the English language.

For the Government of the Kingdom of Sweden

Bertil Ståhl

For the Government of the Republic of Senegal

D. Caban

Butter

Cheese

Milk powder

Condensed milk Mellitus

Biscuits and wafers

Preserved fish or fishery products

Preserved Ham

Beer

Miscellaneous edible products

Breeding animals

Construction equipment

Chemicals

Products

Articles plastics

Leather and leather products

Timber and timber products and articles

Plywood

Asphalt

Chemical and mechanical pulp

Other Documents

Cartons outer and covers all kinds

Products Rayon

Textiles

Iron and steel

Articles hardware and semi-manufactures

Stoves in oil and other lamps including welding and lanterns

Hand tools

Various machinery and industrial products

Roller bearings roller; and

Refrigerators and cold-chain equipment

Agricultural machinery

Machinery for public works including

For rock perforatrices machinery and equipment

Internal combustion engines or

Machinery for road works

Electrical equipment and machinery, all kinds

Telecommunications equipment

Household appliances and machinery

For railway rolling stock

Cars, trucks and buses

Tractors

Equipment for hospitals

Other machinery for offices

Instruments

Flagship equipment

Sanitary appliances

Rubber products including tyres for cars and bicycles

Public works, compressors tyres tools and equipment

Wooden boats, plastics and other

Other goods.

Senegal list of export products b

Live animals

Fresh fish, frozen, salted, preserved, smoked

Fresh fruit

Peanuts

Other seeds

Of peanuts oils

Other vegetable oils

Sucreries

Fruit jams

Fruit juice.

Biscuiteries

Soups

Edible crabs

Other animal fodder prepared

Salt

Titanium and zircon ore

Petroleum products

Pharmaceutical products

Calcium phosphate and aluminium

Other fertilisers

Paints and varnishes

Rubber

Hides and skins

Cotton

Textile products

Jute bags including products

Shoes

Handicrafts

Wooden furniture wrought-iron or

Other goods.