

# **Trade and Technical Cooperation Agreement between the Republic and the Swiss Confederation**

The Government of the Republic ..... and the Government of the Swiss Confederation, desirous of strengthening the bonds of friendship existing between their two countries and anxious to develop economic and technical cooperation as well as their commercial exchanges, have agreed upon the following provisions:

## **Article 1. Economic and Technical Cooperation**

The Government of the Republic ..... and the Government of the Swiss Confederation shall co-operate and assist each other within the framework of their possibilities, with a view to the economic and technical development of their two countries.

## **Article 2. Most Favoured Nation Treatment**

The two High Contracting Parties agree to grant each other most-favoured-nation treatment in all their economic relations, including customs matters. However, most-favoured-nation treatment shall not extend to the advantages, concessions and exemptions which each of the High Contracting Parties grants or will grant :-

to neighbouring countries in frontier traffic;

- to countries forming part with it of a customs union, of a free trade area or of the same monetary area, already created or which may be created in the future.

## **Article 3. Import Regime In Switzerland**

The Government of the Swiss Confederation shall continue to grant the same liberal regime as that which exists to date to imports into Switzerland of products of origin and provenance.

## **Article 4. Import Regime In .....**

The Government of the Republic ..... authorises the import of products originating in and coming from the Swiss Confederation, and in particular those appearing on the attached list S, up to the values indicated for each item. It will also allow Swiss products to benefit from liberations of imports or global quotas opened to the importation of foreign products. Swiss goods will be placed on the same footing as those originating in other foreign countries under the global quota system.

## **Article 5. Trade Information**

The competent departments of the two Governments shall communicate to each other as soon as possible all relevant information concerning trade, in particular import and export statistics and statements on the utilisation of quotas under the Agreement. In particular, the Swiss Authorities shall communicate to the Authorities at least once a year the total and composition of Swiss imports of products originating in the Republic. . Likewise, the Authorities will communicate to the Swiss Authorities the total and composition of imports of products originating in the Swiss Confederation.

## **Article 6. System of Payments**

Payments between the Government of the Republic and the Government of the Swiss Confederation, including payment for goods exchanged under this Agreement, shall be made in accordance with the arrangements in force between the franc zone and Switzerland.

## **Article 7. Protection of Investments**

Investments as well as property, rights and interests belonging to nationals, foundations, associations or companies of one of the High Contracting Parties in the territory of the other shall enjoy fair and equitable treatment at least equal to that accorded by each Party to its nationals or, if more favourable, the treatment accorded to nationals, foundations, associations or companies of the most favoured nation.

Each Party undertakes to permit the free transfer of the proceeds of the work or activity carried on in its territory by nationals, foundations, associations or companies of the other Party, as well as the free transfer of interest, dividends, royalties and other income, depreciation and, in the event of liquidation in whole or in part, the proceeds thereof.

If a Party expropriates or nationalises property, rights or interests belonging to nationals, foundations, associations or companies of the other Party or takes any other direct or indirect measures 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 the expropriation, nationalization or dispossession, shall be settled in a transferable currency and shall be paid without undue delay to the rightful claimant, wherever he may reside. However, the measures of expropriation, nationalisation or dispossession shall not be discriminatory or contrary to any specific undertaking.

The High Contracting Parties agree to conclude as soon as possible an agreement aimed at creating favourable conditions for private investments in both States and at establishing the modalities of the protection due to these investments.

## **Article 8. Arbitration Clause for the Protection of Investments**

If any dispute should arise between the Parties concerning the interpretation or implementation of the provisions of Article 7 above, and if such dispute cannot be settled satisfactorily through diplomatic channels within a period of six months, it shall, at the request of either Party, be submitted to a three-member arbitral tribunal. Each Party shall appoint one arbitrator. The two arbitrators appointed shall appoint a referee who shall be a national of a third State.

If one of the Parties has not appointed its arbitrator and has not complied with the invitation of the other Party to do so within two months, the arbitrator shall be appointed, at the request of that Party, by the President of the International Court of Justice.

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

If, in the cases provided for in paragraphs 2 and 3 of this Article, the President of the International Court of Justice is unable to act or if he is a national of one of the Parties, the appointments shall be made by the Vice-President. If the Vice-President is unable to act or if he is a national of one of the Parties, the appointments shall be made by the oldest member of the Court who is not a national of any of the Parties.

Unless the Parties provide otherwise, the Tribunal shall determine its own procedure.

The decisions of the Tribunal shall be binding on the Parties.

## **Article 9. Joint Commission**

A Joint Commission shall meet at the request of either of the two Contracting Parties. It shall monitor the application of this agreement and agree on any measures to improve economic relations between the two countries.

## **Article 10. Application of the Agreement to Liechtenstein**

This Agreement shall apply to the Principality of Liechtenstein for as long as it is linked to the Swiss Confederation by a customs union treaty.

## **Article 11. Entry Into Force and Renewal**

This agreement shall enter into force upon signature and shall be valid for the period from ..... to ..... It shall be renewable from year to year by tacit agreement for a further period of one year, unless terminated in writing by either Contracting Party three months prior to expiry.

Done, in duplicate at ..... on .....

For the Swiss Government:

For the Government