Trade, Investment Protection and Technical Cooperation Agreement between the Swiss Confederation and the Republic of Upper Volta

Article 1. Economic and Technical Cooperation

The Government of the Swiss Confederation and the Government of the Republic of Upper Volta then engage in respect of their sovereignty to cooperate and provide, in conformity with their legislation and within the limits of their possibilities, mutual assistance for the development of their countries, especially in the area of economic and technical.

Article 2. Most-favoured-nation Treatment

Each High Contracting Parties agree to grant each other the most favoured nation treatment with respect to tariffs and customs formalities.

However, the most-favoured-nation treatment does not extend to the privileges, exemptions and concessions that each of the contracting parties is or will be:

- to adjacent countries in frontier traffic;

- to the countries covered with a customs union or a free-trade area already established or which may be established in the future.

Article 3. Import Regime In Switzerland

The Government of the Swiss Confederation continues to accord the same liberal regime existing date as the import of products originating in Switzerland and originating in the Republic of Upper Volta then including those listed in Upper Volta then.

Article 4. Import Regime In Upper Volta

The Government of the Republic of Upper Volta then authorizes the importation of products originating in and coming from the Swiss Confederation including those contained in the list attached S, up to the levels indicated in respect of each item. It shall also be the release of Swiss products imports or global opened quotas for imports of foreign products. The Swiss goods will be placed on the same footing as other foreign countries originating in the context of the global system of quotas.

Article 5. Business Information

The competent authorities of both Governments shall communicate to each other as soon as possible, all relevant information. any review of trade in goods and the balance of trade between the two countries is based on both sides import statistics.

Article 6. Payment Arrangements

Payments between the Swiss Confederation and the then Republic of Upper Volta, including the settlement of goods traded within the framework of this Agreement shall be made in convertible currencies.

Article 7. Protection of Investments

Investment as well as the property rights and interests belonging to nationals or companies, foundations, associations of one of the High Contracting Parties in the territory of the other party or indirectly held by those nationals or companies, foundations, associations will receive treatment which is fair and equitable and not less than that granted by each party to

its nationals or, if it is more favourable treatment accorded to nationals or companies, foundations, associations most-favoured nation.

Each Party shall allow the free transfer of proceeds of the employment or employment in its territory by nationals or companies, foundations, associations of the other contracting party, as well as the free transfer of interests, dividends, royalties and other income, depreciation and, in the event of partial or total liquidation of the product.

In the event that a Party expropriates or nationalizes property, rights or interests belonging to or held indirectly by nationals, foundations, associations or corporations of the other Party, or takes any other direct or indirect dispossessory measures against such nationals, foundations, associations or corporations, 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 export, nationalization or dispossession, shall be paid in a transferable currency and shall be paid without undue delay to the entitled person, wherever he may reside. However, the measures of expropriation, nationalization or dispossession shall not be discriminatory or contrary to any specific undertaking.

Article 8. Arbitration Clause for the Protection of Investments

If any dispute should arise between the contracting parties concerning the interpretation or the implementation of the provisions of article 7 above and the dispute cannot be settled within a period of six months in a satisfactory manner through diplomatic channels, it shall be submitted, at the request of either party to an arbitral tribunal of three members. Each Party shall appoint an arbitrator. The two arbitrators appointed shall appoint the Umpire, who shall be a national of a third State.

If a Party has not appointed its arbitrator and has not followed the invitation of the other party has the designation within two months, the arbitrator shall be appointed by the latter Party upon request by the President of the International Court of Justice.

If the two arbitrators cannot reach an agreement within two months after their appointment, at the choice of an umpire, the latter shall be appointed upon the request of either party by the President of the International Court of Justice.

If in the cases specified in paragraphs 2 and 3 of this article, the President of the International Court of Justice is prevented or if he is a national of either party, the appointment shall be made by the Vice-President. if the latter is prevented or if he is a national of either party, the appointment shall be made by the most senior member of the Court who is not a national of either party.

Unless the Parties decide otherwise, the tribunal shall determine its own procedure.

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

Article 9. Joint Committee

Subject to the agreement of both contracting parties, a joint commission may be established; it shall meet in order to agree on any provisions to enhance economic relations between the two countries.

Article 10. Implementation of the Agreement In Liechtenstein

Articles 2 to 6 of this Agreement shall apply to the Principality of Liechtenstein as long as it relates to the Swiss Confederation treaty by a customs union.

Article 11. Entry Into Force and Extension

This Agreement shall be valid for a period of one year from the date of its entry into force. it shall be renewed on a yearly basis tacitly renewed for a further period of one year unless either of the Contracting Parties has not reported by written notice of three months before its expiration.

It shall apply provisionally upon signature. It shall enter into force when the contracting parties will have notified each other of the completion of the constitutional formalities required for the conclusion and entry into force of international treaties.

In the event of termination, the provisions of articles 7 and 8 above shall apply for a period of ten years for investments made prior to the termination of the Agreement.

Done in duplicate at Ouagadougou this 6th day of May, 1969

For the Government of the Swiss Confederation:

The Ambassador of Switzerland

Monfrini

For the Government of the Republic of Upper Volta

Zoromé

List Upper Volta

Voltaic products which may be imported into Switzerland without quota limitation within the framework of the regulations in force in Switzerland

Peanuts

Cotton fibers

Sesame

Shea butter} other than for starter

Reptile skin

Leather

Tropical fruits (mangos)

Craft products

List "S": Importation of Swiss products into the Republic of Upper Volta subject to amendments resulting from subsequent arrangements

Serial number Description of goods Annual quotas in 1000 fr. s. 1 Medical milks, concentrated milks, sterilized, pasteurized, etc. 50 2 Miscellaneous chemical products, including colorants, pharmaceuticals and plastics (excluding footwear made of plastics) s.b. * 3 Miscellaneous textile products, including printed fabrics and handkerchiefs 100 4 Various mechanical and electrical equipment, including 100 + s typewriters. b. * 5 Sewing machines; their needles Liberated 6 Watches, dressing supplies, including clocks and alarm clocks to watch movement 30 7 Miscellaneous General, including spare parts 100 * s.b. = as needed