

No. 2944

**UNION OF SOVIET
SOCIALIST REPUBLICS
and
SWITZERLAND**

Treaty of Commerce. Signed at Moscow, on 17 March 1948

Official texts: Russian and French.

Registered by the Union of Soviet Socialist Republics on 27 September 1955.

**UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES
et
SUISSE**

Traité de commerce. Signé à Moscou, le 17 mars 1948

Textes officiels russe et français.

Enregistré par l'Union des Républiques socialistes soviétiques le 27 septembre 1955.

[RUSSIAN TEXT — TEXTE RUSSE]

№ 2944. ТОРГОВЫЙ ДОГОВОР МЕЖДУ СОЮЗОМ СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК И ШВЕЙЦАРСКОЙ КОНФЕДЕРАЦИЕЙ

Президиум Верховного Совета Союза Советских Социалистических Республик и Федеральный Совет Швейцарской Конфедерации, воодушевленные желанием содействовать развитию экономических отношений между обеими странами, решили заключить Торговый Договор и назначили для этой цели своими Уполномоченными:

Президиум Верховного Совета Союза Советских Социалистических Республик — Микояна, Анастаса Ивановича, Министра Внешней Торговли Союза ССР;

Швейцарский Федеральный Совет — Макса Трендле, Делегата Федерального Совета по торговым договорам,

которые, после обмена своими полномочиями, найденными в должной форме и надлежащем порядке, согласились о нижеследующем:

Статья 1

Договаривающиеся Стороны предоставляют взаимно друг другу благоприятный режим во всем, что касается торговли между обеими странами, и примут, в пределах их соответствующего законодательства, надлежащие меры для облегчения и развития взаимного товарооборота и обмена услугами.

Статья 2

Договаривающиеся Стороны предоставляют взаимно друг другу режим наиболее благоприятствуемой нации в отношении всего того, что касается таможенных пошлин, налогов и сборов, способов взимания пошлин, а также правил, формальностей и сборов, которым подвергаются или могут быть подвергнуты впоследствии операции по очистке товаров на таможне, перегрузке и помещению товаров в склады.

Статья 3

Произведения почвы и промышленности, происходящие с территории одной из Договаривающихся Сторон, при ввозе их на территорию другой Стороны не будут подвергаться каким-либо иным или более высоким пошлинам, налогам

[TRANSLATION — TRADUCTION]

No. 2944. TREATY OF COMMERCE¹ BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE SWISS CONFEDERATION. SIGNED AT MOSCOW, ON 17 MARS 1948

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics and the Federal Council of the Swiss Confederation, desiring to promote the development of economic relations between the two countries, have resolved to conclude a Treaty of Commerce and have appointed as their plenipotentiaries for this purpose :

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics : Mr. Anastas Ivanovich Mikoyan, Minister of Foreign Trade of the Union of Soviet Socialist Republics ;

The Swiss Federal Council : Mr. Max Troendle, Delegate for Trade Agreements of the Federal Council ;

who, having exchanged their full powers, found in good and due form, have agreed as follows :

Article 1

The Contracting Parties shall grant each other favourable treatment in all matters relating to commerce between the two countries and shall adopt, to the extent permitted by their respective legislations, the necessary measures to facilitate and develop the reciprocal exchange of goods and services.

Article 2

The Contracting Parties shall grant each other most-favoured-nation treatment in all matters relating to customs duties, taxes and charges, to procedures for collecting duties, and to the regulations, formalities and charges which are or may hereafter be applied in the operations of customs clearance, trans-shipment and warehousing of goods.

Article 3

The natural or manufactured products originating in the territory of one of the Contracting Parties shall not be liable, on importation into the territory of the other Party, to any duties, taxes or charges other or higher, or to customs regulations or formalities other or more burdensome, than those which are or

¹ Came into force on 1 September 1948, twenty days after the exchange of the instruments of ratification at Berne on 11 August 1948, in accordance with article 13.

may hereafter be imposed on similar natural or manufactured products originating in any third country.

Similarly, the natural or manufactured products originating in the territory of one of the Contracting Parties shall not be liable, on exportation to the territory of the other Party, to any duties, taxes or charges other or higher, or to customs regulations or formalities other or more burdensome, than those which are or may hereafter be imposed on similar natural or industrial products exported to the territory of any third country.

Article 4

Any advantages, facilities, privileges or immunities with respect to the matters referred to in articles 2 and 3 which are granted or may hereafter be granted by one of the Contracting Parties in respect of the natural or manufactured products originating in any third country or intended for export to the territory of any third country shall be granted immediately and free of charge in respect of similar products originating in or intended for export to the territory of the other Contracting Party.

Article 5

The natural or manufactured products originating in the territory of one of the Contracting Parties shall not be liable, after importation into the territory of the other Party to any internal taxes or charges other or higher than those which are or may hereafter be imposed on similar natural or manufactured products originating in any third country.

Article 6

The provisions of articles 2 to 5 of this Treaty shall not extend to advantages which have been or may hereafter be granted by one of the Contracting Parties for the purpose of facilitating frontier relations with adjacent States or to advantages arising out of a customs union which one of the Contracting Parties has concluded or may hereafter conclude.

Article 7

Subject to compliance with the existing regulations concerning temporary importation or exportation, the following articles shall be exempt from duties and charges on importation and exportation :

- (a) samples of goods;
- (b) articles intended for experiments and tests and fitters' equipment;
- (c) articles intended for exhibitions, fairs and competitions;
- (d) articles intended for repair;
- (e) marked containers and receptacles normally used in trade and intended for the conveyance of goods.

Article 8

Should one of the Contracting Parties apply prohibitions or quantitative restrictions on the importation or exportation of goods, such measures shall be so applied as not to permit any discrimination to the disadvantage of the other Party.

Article 9

The Contracting Parties shall adopt, to the extent permitted by their legislation in the matter, appropriate measures to facilitate rail, sea and air traffic as well as postal, telephone and telegraph communications between the two countries.

The Contracting Parties shall grant each other most-favoured-nation treatment with respect to the acceptance of goods for internal conveyance and for conveyance in transit.

Merchant vessels flying the Swiss flag shall, on entering or leaving or while stationing in the seaports of the Union of Soviet Socialist Republics, enjoy the same treatment as merchant vessels of the most-favoured nation.

Article 10

Bodies corporate and commercial companies constituted in the territory of one of the Contracting Parties in accordance with the laws in force in that territory shall be recognized as such in the territory of the other Party.

Bodies corporate, commercial companies and citizens of one of the Contracting Parties shall be entitled to appear in the courts of the other Party, either as plaintiffs or as defendants.

Article 11

Arbitral awards in respect of disputes which may arise in the performance of commercial contracts concluded by bodies corporate, commercial companies or individuals of the Contracting Parties shall be enforced if provision was made for the settlement of the dispute by arbitration in the contract or in a separate agreement drawn up in the form required for the contract itself.

The enforcement of an arbitral award may not be refused unless :

(a) the arbitral award has not become final and operative under the law of the country in which it was made;

(b) the arbitral award compels one party to the dispute to take some action which is contrary to the laws of the country in which enforcement of the award is sought;

(c) the arbitral award is contrary to public policy in the country in which enforcement is sought.

Arbitral awards shall be enforced in accordance with the laws of the country in which enforcement is sought.

Article 12

This Treaty shall apply to the Principality of Liechtenstein, so long as the Principality remains linked to the Swiss Confederation by a treaty of customs union.

Article 13

This Treaty is concluded for a period of one year.

It shall be ratified as soon as possible and shall enter into force twenty days after the exchange of the instruments of ratification, which shall take place at Berne.

If neither of the Contracting Parties gives notice in writing, three months before the expiration of the said period of one year, of its desire to terminate the Treaty, it shall remain in force until either of the Parties gives notice of termination, such notice to be given six months before the Treaty is to terminate.

IN WITNESS WHEREOF the plenipotentiaries of the two Contracting Parties have signed this Treaty and have affixed thereto their seals.

DONE in duplicate at Moscow, on 17 March 1948, in the Russian and French languages, both texts being equally authentic.

A. MIKOYAN
[L.S.]

TROENDLE
[L.S.]