

requests the submission to an arbitral tribunal of a dispute with the same Party relating to the same question a single arbitral tribunal should be established to consider such disputes whenever feasible.

2. The constitution and functioning of the arbitral tribunal shall be governed by Annex VI. The award of the arbitral tribunal shall be final and binding upon the Parties to the dispute.

CHAPTER X FINAL PROVISIONS

ARTICLE 39

Evolutionary clause

1. The Parties undertake to review the present Agreement in light of further developments in international economic relations, i.a. in the framework of the WTO, and to examine in this context and in the light of any relevant factor, the possibility of further developing and deepening the co-operation under this Agreement and to extend it to areas not covered therein. The Parties may instruct the Joint Committee to examine this possibility and, where appropriate, to make recommendations to them, particularly with a view to opening up negotiations.

2. Agreements resulting from the procedure referred to in paragraph 1 will be subject to ratification or approval by the Parties in accordance with their own procedures.

ARTICLE 40

Annexes and Protocols

The Annexes and the Protocols to this Agreement are an integral part of it. The Joint Committee may decide to amend the Annexes and Protocols.

ARTICLE 41

Amendments

1. Amendments to this Agreement shall, after approval by the Joint Committee, be submitted to the Parties for ratification, acceptance or approval.

2. Unless otherwise agreed by the Parties, amendments shall enter into force on the first day of the third month following the deposit of the last instrument of ratification, acceptance or approval.

3. The text of the amendments as well as the instruments of acceptance shall be deposited with the Depositary.

ARTICLE 42

Relation to other international agreements

1. This Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas and arrangements for frontier trade insofar as they do not have the effect of altering the trade arrangements provided for in this Agreement.
2. The Parties confirm their rights and obligations under the WTO and the other agreements negotiated thereunder to which they are party, and under any other international agreement to which they are a party.
3. When a Party enters into a customs union or free trade agreement with a third party it shall, upon request by any other Party, be prepared to enter into consultations with the requesting Party.

ARTICLE 43

Accession

1. Any new Member of the European Free Trade Association, may accede to this Agreement, provided that the Joint Committee decides to approve its accession, on terms and conditions to be negotiated between the acceding State and the Parties concerned. The instrument of accession shall be deposited with the Depositary.
2. In relation to an acceding State, this Agreement shall enter into force on the first day of the third month following the deposit of its instrument of accession, or the approval of the terms of accession by the existing Parties, whichever is later.

ARTICLE 44

Withdrawal and expiration

1. Each Party may withdraw from this Agreement by means of a written notification to the Depositary. The withdrawal shall take effect six months after the date on which the notification is received by the Depositary.
2. Any EFTA State which withdraws from the Convention establishing the European Free Trade Association shall *ipso facto* on the same day as the withdrawal takes effect cease to be a Party to this Agreement.

ARTICLE 45

Entry into force

1. This Agreement is subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited with the Depositary.
2. This Agreement shall enter into force on 1 June 2005 in relation to those Signatory States which by then have deposited their instruments of ratification or acceptance with the Depositary, provided that Tunisia is among the States that have deposited their instruments of ratification or acceptance.
3. In case this Agreement does not enter into force on 1 June 2005 it shall enter into force on the first day of the second month following the latter date on which Tunisia and at least one EFTA State have deposited their instruments of ratification.
4. In relation to an EFTA State depositing its instrument of ratification, after this Agreement has entered into force, the Agreement shall enter into force on the first day of the second month following the deposit of its instrument.
5. If its constitutional requirements permit, any EFTA State may apply this Agreement provisionally. Provisional application of this Agreement under this paragraph shall be notified to the Depositary.

ARTICLE 46

Depositary

The Government of Norway shall act as Depositary.

IN WITNESS WHEREOF the undersigned, being duly authorised hereto, have signed this Agreement.

Done at Geneva, this 17th day of December 2004, in two original copies, each in the English and the French languages, both texts being equally authentic. In case of conflict the English version shall prevail. One original for each language shall be deposited with the Government of Norway.

For the Republic of Iceland

For the Republic of Tunisia

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For the Principality of Liechtenstein

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For the Kingdom of Norway

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For the Swiss Confederation

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