ANNEX V

REFERRED TO IN ARTICLE 2.10

TRADE FACILITATION

ANNEX V

REFERRED TO IN ARTICLE 2.10
TRADE FACILITATION

Article 1

General

The Parties, aiming to serve the interests of their respective business communities and to create a trading environment allowing them to benefit from the opportunities offered by this Agreement, agree that the following principles, in particular, are the basis for the development, and administration by competent authorities, of trade facilitation measures:

(a) transparency, efficiency, simplification, harmonisation and consistency of trade procedures;

(b) promotion of international standards;

(c) consistency with multilateral instruments;

(d) best possible use of information technology;

(e) high standards of public service;

(f) governmental controls based on risk management;

(g) cooperation within each Party among customs and other border authorities; and

(h) consultations between the Parties and their respective business communities.

Article 2

Transparency

1. Each Party shall promptly publish, or otherwise make available, in the national language, and as far as practicable on the Internet, in English, all laws, regulations and administrative decisions of general application relevant for trade in goods and related services between Ukraine and the EFTA States.

2. Each Party shall, to the extent possible, publish in advance, in particular on the Internet, draft laws and regulations relevant for international trade in goods and related services that it aims to adopt and shall offer interested persons the opportunity to make comments prior to such adoption.

3. Each Party shall process inquiries on customs matters, which are received via the Internet in English.

4. Each Party shall consult its respective business community on its needs with regard to the development and implementation of trade facilitation measures, noting that particular attention should be given to the interests of small and medium-sized enterprises.

5. Each Party shall interpret and administer in a uniform, impartial and reasonable manner all its laws, regulations and administrative decisions relevant for international trade in goods and related services.

Article 3

Cooperation in Trade Facilitation

1. The Parties may identify, and submit to the Joint Committee for consideration, further measures with a view to facilitating trade between the Parties, as appropriate.

2. The Parties shall promote international cooperation in relevant multilateral fora governing trade facilitation. The Parties shall review relevant international initiatives on trade facilitation in order to identify, and submit to the Joint Committee for consideration, further areas where joint action could contribute to their common objectives.

Article 4

Advance Rulings

1. Each Party shall, in accordance with its domestic legislation, issue a written advance ruling at the written request containing all necessary information of an importer, producer or exporter in its own territory, or an exporter or producer in the territory of another Party[1] with regard to:

(a) tariff classification of a product and the applied duty-rate for the product or, where appropriate, the way the applied duty-rate for a product is calculated;

(b) the fees and charges that will be applied or, where appropriate, information on the way such fees and charges are calculated; and

(c) such other matters as the Parties may agree.

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[1] For greater certainty, an importer, exporter, or producer may submit a request for an advance ruling through a duly authorised representative.

2. The Parties shall endeavour to develop procedures whereby each Party, upon a written request and prior to the exportation of a product to another Party, shall provide to an exporter or producer in its own territory a written advance ruling on the originating status of that product.

3. A Party that declines to issue an advance ruling shall promptly notify the person requesting an advance ruling, setting forth the basis for its decision to decline to issue the advance ruling.

4. Each Party shall provide that advance rulings take effect on the date they are issued, or on another date specified in the ruling, provided that the facts, or circumstances on which the ruling is based, remain unchanged.

5. A Party may limit the validity of advance rulings to a period determined by its domestic legislation.

6. Each Party shall endeavour to make information on advance rulings which it considers to be of significant interest to other traders publicly available, taking into account the need to protect confidential information.

Article 5

Simplification of International Trade Procedures

1. The Parties shall aim to limit governmental controls and formalities in the context of trade in goods and related services between the Parties to those necessary and appropriate to ensure compliance with legal requirements, thereby simplifying, to the greatest extent possible, the respective procedures.

2. The Parties shall aim to use efficient trade procedures, based, as appropriate, on international standards, with a view to reducing costs and unnecessary delays in trade between them, in particular the standards and recommended practices of the World Customs Organization (hereinafter referred to as "the WCO"), including the principles of the revised International Convention on the Simplification and Harmonization of Customs Procedures.

3. Each Party shall adopt or maintain simplified customs procedures for the efficient release of goods declared by economic operators who have proven to be reliable.

4. Each Party shall adopt or maintain procedures that:

   (a) provide for advance electronic submission and processing of information before the physical arrival of goods in order to expedite their clearance; and

(b) in accordance with its legislation, allow importers to obtain the release of goods prior to meeting all import requirements of that Party if the importer provides sufficient guarantees. A Party is not required to release goods where the Parties' legitimate import requirements have not been satisfied.

Article 6

Risk Management

1. With a view to enhancing trade facilitation while maintaining effective governmental control of trade between the Parties, the Parties shall determine which persons, goods, or means of transport are to be examined and the extent of the examination, based on risk management.

2. Risk management includes the systematic assessment of risks related to the infringement of customs and other legislation relevant for international trade in goods and related services. The Parties shall use compliance measurement to support risk assessment.

3. Based on evidence, grounds, reasons, or at random, the Parties may conduct audit-based controls, such as quality control and compliance reviews, which may require more extensive examinations of certain economic operators over a limited time period.

Article 7

Authorised Economic Operator System

A Party introducing or expanding an Authorised Economic Operator System or security measures affecting international trade flows shall:

(a) afford to another Party the possibility to negotiate mutual recognition of such a system, for the purpose of facilitating international trade while ensuring effective customs control; and

(b) draw on relevant international standards and practices, in particular the WCO Framework of standards.

Article 8

Customs Brokers

1. No Party shall introduce new requirements to use customs brokers.

2. Each Party shall endeavour to develop customs systems or procedures enabling exporters and importers to submit their customs declaration without being obliged to turn to customs brokers.

Article 9

Fees and Charges

1. Fees and charges imposed in connection with importation or exportation by customs or other border authorities of a Party, including in connection with tasks undertaken on the behalf of such authorities, shall not exceed the approximate cost of the service rendered.

2. The fees and charges referred to in paragraph 1 shall not be calculated on an *ad valorem* basis.

3. Each Party shall publish information on fees and charges. Such information shall include the reason for the fee or charge, namely the service provided, the responsible authority, the fees and charges that will be applied and the way they are calculated, as well as when and how payment has to be made. The information shall be officially published, as appropriate, on the Internet, in English.

4. Upon request, the customs or other border authorities of a Party shall give information on rates of duty, fees, charges and internal taxes applicable to imports of goods into that Party, including the methods of calculation.

5. Each Party shall periodically review its fees and charges to ensure that they are in line with WTO commitments and with a view to consolidating them and reducing their number and diversity.

Article 10

Consular Transactions

No consular transaction or equivalent transaction shall be required for the establishment of a commercial invoice, certificate of origin, shippers manifest, export declaration, or any other document necessary for customs clearance in a Party.

Article 11

Appeal

Each Party shall ensure that importers, exporters and producers have the right to at least one level of administrative or judicial appeal in accordance with its domestic legislation.

Article 12

Confidentiality

All information provided in relation with the importation, exportation, advance rulings or transit of goods shall be treated as confidential by the Parties and shall be covered by the obligation of professional secrecy, in accordance with the respective laws of each Party. It shall not be disclosed by the authorities of a Party without the express permission of the person or authority providing it.

ANNEX XI

REFERRED TO IN ARTICLE 4.11

RESERVATIONS

APPENDIX 1: UKRAINE

APPENDIX 2: ICELAND

APPENDIX 3: LIECHTENSTEIN

APPENDIX 4: NORWAY

APPENDIX 5: SWITZERLAND

APPENDIX 1 TO ANNEX XI

REFERRED TO IN ARTICLE 4.11

RESERVATIONS
BY UKRAINE

UKRAINE

Sector:	Agriculture
Sub-sector:	Land ownership for agricultural purposes
Legal source or authority of the measure:	Land Code of Ukraine dated 25.10.2001 № 2768-III.
Succinct description of the measure:	Foreign citizens and stateless persons are not entitled: (i) to acquire ownership of land intended for agricultural purposes; (ii) to free acquisition of land that is in state and municipal property; (iii) to privatise land that was previously transferred them for use.
Purpose or motivation of the measure:	Agricultural policy considerations and food security.

APPENDIX 2 TO ANNEX XI

REFERRED TO IN ARTICLE 4.11

RESERVATIONS
BY ICELAND

ICELAND

Sector:	All sectors
Sub-sector:	
Legal source or authority of the measure:	Law No. 138/1994 Respecting Private Limited Companies, Law No. 2/1995 Respecting Public Limited Companies, Law No. 34/1991 on Investment by Non-Residents in Business Enterprises
Succinct description of the measure:	The majority of the founders of a private limited company or a public limited company must either be resident in Iceland, in another member state of the European Economic Area, in another member state of the European Free Trade Association or in the Faroe Islands. The Minister of Commerce can grant exemptions from these restrictions. The manager(s) and at least half the board of directors of a private limited company or a public limited company must either be resident in Iceland, in another member state of the European Economic Area, in another member state of the European Free Trade Association or in the Faroe Islands. The Minister of Commerce can grant exemptions from these restrictions.
Purpose or motivation of the measure:	To secure that the legal venue of the majority of the board of directors and managers is within Icelandic jurisdiction.

ICELAND

Sector:	All sectors
Sub-sector:	
Legal source or authority of the measure:	Law No. 19/1966 on the Right to Own and Use Real Estate, Law No. 34/1991 on Investment by Non-Residents in Business Enterprises
Succinct description of the measure:	Only Icelandic citizens and Icelandic legal entities and citizens and legal entities from another member state of the European Economic Area, another member state of the European Free Trade Association or from the Faroe Islands are allowed to own real estate in Iceland unless the ownership and use is linked to an investment in real estate pertaining to the business activity of the investor. The same applies to the hiring of a real estate if the duration of the lease lasts for more than three years. These restrictions do not apply to a non-EEA citizen who has been residing in Iceland for at least five years. The Minister of Justice can grant exemptions from these restrictions.
Purpose or motivation of the measure:	Fluctuations in real estate prices due to possible excess foreign demand can adversely affect the domestic market for housing and summer houses (secondary homes).

ICELAND

Sector:	Fisheries
Sub-sector:	Fishing, whaling
Legal source or authority of the measure:	Law No. 22/1998 on the Fishing and Fish processing of Foreign Vessels in Iceland's Economic Zone, Law No. 34/1991 on Investment by Non-Residents in Business Enterprises, Law No. 26/1949 on Whaling
Succinct description of the measure:	Only the following may conduct fishing operations within the Icelandic fisheries jurisdiction: (a) Icelandic citizens and other Icelandic persons. (b) Icelandic legal persons which are wholly owned by Icelandic persons or Icelandic legal persons which: (i) are controlled by Icelandic entities; (ii) are not under more than 25% ownership of foreign residents calculated on the basis of share capital or initial capital. However, if the share of an Icelandic legal person in a legal person conducting fishing operations in the Icelandic fisheries jurisdiction or fish processing in Iceland is not above 5%, the share of the foreign resident may be up to 33%; (iii) are in other respects under the ownership of Icelandic citizens or Icelandic legal persons controlled by Icelandic persons.
Purpose or motivation of the measure:	The relative economic importance of the fishing industry for Iceland, with fish and fish products constituting around half of the country's foreign earnings, as well as Iceland's determination to maintain a sustainable yield from its fishing stocks. The control and surveillance regarding the preservation of Icelandic fish stocks needs to be under Icelandic jurisdiction.

ICELAND

Sector:	Fisheries
Sub-sector:	Fish Processing
Legal source or authority of the measure:	Law No. 34/1991 on Investment by Non-Residents in Business Enterprises
Succinct description of the measure:	Only the following may own or run enterprises engaged in fish processing in Iceland: a) Icelandic citizens and other Icelandic persons. b) Icelandic legal persons which are wholly owned by Icelandic persons or Icelandic legal persons which: i) are controlled by Icelandic entities; ii) are not under more than 25% ownership of foreign residents calculated on the basis of share capital or initial capital. However, if the share of an Icelandic legal person in a legal person conducting fishing operations in the Icelandic fisheries jurisdiction or fish processing in Iceland is not above 5%, the share of the foreign resident may be up to 33%; iii) are in other respects under the ownership of Icelandic citizens or Icelandic legal persons controlled by Icelandic persons. Fish processing in this context is freezing, salting, drying and any other process used to initially preserve fish and fish products, including melting and meal processing. This reservation does not apply to secondary fish processing.
Purpose or motivation of the measure:	The reservation on fish processing is an integral part of retaining control in the field of fishing and whaling. The relative economic importance of the fishing industry for Iceland, with fish and fish products constituting around half of the country's foreign earnings, as well as Iceland's determination to maintain a sustained yield from its fishing stocks. The control and surveillance regarding the preservation of Icelandic fish stocks needs to be under Icelandic jurisdiction.

ICELAND

Sector:	Fisheries
Subsector:	Fish Auctioning
Legal source or authority of the measure:	Law No. 79/2005 on the Auctioning of Fish
Succinct description of the measure:	Only Icelandic citizens and Icelandic legal entities and citizens and legal entities from another member state of the European Economic Area, from another member state of the European Free Trade Association or from the Faroe Islands are allowed to own and manage enterprises engaged in fish auctioning in Iceland.
Purpose or motivation of the measure:	The reservation on fish auctioning is an integral part of retaining control in the field of fishing and whaling. The relative economic importance of the fishing industry for Iceland, with fish and fish products constituting around half of the country's foreign earnings, as well as Iceland's determination to maintain a sustained yield from its fishing stocks. The control and surveillance regarding the preservation of Icelandic fish stocks needs to be under Icelandic jurisdiction.

ICELAND

Sector:	Energy
Sub-sector:	Energy production and distribution
Legal source or authority of the measure:	Law No. 34/1991 on Investment by Non-Residents in Business Enterprises
Succinct description of the measure:	Only Icelandic citizens and legal entities, and citizens and legal entities from another member state of the European Economic Area, from another member state of the European Free Trade Association or from the Faroe Islands, can own the right to harness hydroelectric and geothermal power other than for own personal home use. The same applies to investment in enterprises engaged in power production and power distribution.
Purpose or Motivation of the Measure:	Apart from the fish stock, hydroelectric power and geothermal power are Iceland's most important natural resources. Their utilisation need to be centrally administered through licensing and co-generation agreements. The power production and power distribution are public utilities which to a large degree operate as public monopolies.

APPENDIX 3 TO ANNEX XI

REFERRED TO IN ARTICLE 4.11

RESERVATIONS
BY THE PRINCIPALITY OF LIECHTENSTEIN

LIECHTENSTEIN

Sector:	All sectors
Sub-sector:	
Legal source or authority of the measure:	Gewerbegesetz (Act on Commercial Law) of 10 December 1969, LR (Systematic Collection of Liechtenstein Law) 930.1, and relevant laws as mentioned in Article 2, paragraph 1 of that Act, as well as relevant Parliament or Government decisions.
Succinct description of the measure:	The establishment of a commercial presence by a juridical person (including branches) is subject to the requirement that no objection for reasons of national economy is made (balanced proportion of national and foreign capital; balanced ratio of foreigners in comparison with the number of resident population; balanced ratio of total number of jobs in the economy in comparison with the number of the resident population; balanced geographic situation; balanced development of the national economy, between and within the sectors).
Purpose or motivation of the measure:	To ensure a balanced development of the national economy taking into account the specific geographic situation of the country, its limited resources and the small labour market.

LIECHTENSTEIN

Sector:	All sectors
Sub-sector:	
Legal source or authority of the measure:	Gewerbegesetz (Commercial Law Act) of 10 December 1969, LR 930.1; Personen- und Gesellschaftsrecht (Company Law) of 20 January 1926, LR 216.0
Succinct description of the measure:	The establishment of a commercial presence by an individual is subject to the requirement of prior residence during a certain period of time and of permanent domicile in Liechtenstein. The establishment of a commercial presence by a juridical person (including branches) is subject to the following requirements: At least one of the managers has to fulfill the requirements of prior residence during a certain period of time and of permanent domicile in Liechtenstein. The majority of the administrators (authorized to manage and represent the juridical person) must be residents in Liechtenstein and have either to be Liechtenstein citizens or have prior residence during a certain period of time in Liechtenstein. The general and the limited partnership have to fulfill the same conditions as corporations with limited liability (juridical person). In addition the majority of the associates have to be Liechtenstein citizens or to have prior residence during a certain period of time in Liechtenstein. The Liechtenstein company law does not prohibit joint stock companies from foreseeing in their articles of incorporation the preclusion or limitation of the transfer of registered shares.
Purpose or motivation of the measure:	To facilitate judicial proceedings.

LIECHTENSTEIN

Sector:	All sectors
Subsector:	
Legal source or authority of the measure:	Agreement on the European Economic Area of 2 May 1992 (EEA Agreement)
Succinct description of the measure:	Treatment accorded to subsidiaries of third-country companies formed in accordance with the law of an EEA Member State and having registered office, central administration or principal place of business within an EEA Member State is not extended to branches or agencies established in an EEA Member State by a third-country company. Treatment less favorable may be accorded to subsidiaries of third countries having only their registered office in the territory of an EEA Member State unless they show that they possess an effective and continuous link with the economy of one of the EEA Member States.
Purpose or motivation of the measure:	To ensure that benefits from the EEA Agreement are not automatically accorded to third countries.

LIECHTENSTEIN

Sector:	All sectors
Subsector:	
Legal source or authority of the measure:	Grundverkehrsgesetz (Law on the acquisition of real estate) of 9 December 1992, LR 214.11
Succinct description of the measure:	All acquisitions of real estate are subject to authorization. Such authorization is granted only if an actual and proven requirement for living or business purposes is given and a certain period of residence has been completed. Non-residents are excluded from the acquisition of real estate.
Purpose or motivation of the measure:	Extreme scarcity of available land. Preservation of access to real estate for the resident population and maintenance of a balanced geographic situation.

LIECHTENSTEIN

Sector:	Power and Energy sector
Sub-sector:	**-**
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	All activities in the power and energy sector shall be treated as services under this Agreement.
Purpose or motivation of the measure:	To take account of the fact that most activities in this sector are considered services in terms of the GATS.

APPENDIX 4 TO ANNEX XI

REFERRED TO IN ARTICLE 4.11

RESERVATIONS
BY THE KINGDOM OF NORWAY

NORWAY

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	
Succinct description of the measure:	Norway does not extend to Ukraine any preferences granted under bilateral investment treaties signed by Norway prior to 1997.
Purpose or motivation of the measure:	

NORWAY

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	
Succinct description of the measure:	Norway reserves the right to apply measures inconsistent with Article 4.4 for the imposition, enforcement or collection of direct taxes in so far as such measures do not contravene any tax treaty[1] which is in force between Ukraine and Norway.
Purpose or motivation of the measure:	

[1] Convention between The Government of the Kingdom of Norway and The Government of Ukraine for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and on Capital, signed 7 March 1996 or a tax treaty succeeding this tax treaty.

NORWAY

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	Companies Act of 13 June 1997, No 44 (aksjeloven) and Joint Stock Public Companies Act of 13 June 1997, No 45 (allmennaksjeselskapsloven).
Succinct description of the measure:	The general manager in a joint stock company and at least half of the members of the board of directors and of the corporate assembly must be residents of Norway. The residency criteria do not apply to nationals of an EEA Member State who are permanent residents of one of these States. The Ministry of Trade and Industry may grant exemptions from this Provision.
Purpose or motivation of the measure:	The resident criteria are based on reasons of jurisdiction, in order to ensure that the persons responsible for the company's affairs are accessible.

NORWAY

Sector:	Power and Energy sector Repair of Transport Equipment sector
Sub-sector:	-
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	All activities in the power and energy sector as well as in the repair of transport equipment sector shall be treated as services under this Agreement.
Purpose or motivation of the measure:	

NORWAY

Sector:	Fishing and fish processing
Subsector:	-
Legal source or authority of the measure:	Regulation of Participation in Fishing Act of 26 March 1999, No 15 Economic Zone Act of 17 December 1976, No 91 The Fishing Limit Act of 17 June 1966, No 19
Succinct description of the measure:	A concession to acquire a fishing vessel or share in a company which owns such vessels can only be given to a Norwegian citizen or a body that can be defined as a Norwegian citizen. A company is regarded as having equal rights with a Norwegian citizen when its main office is situated in Norway and the majority of the Board, including the Chair of the Board, are Norwegian citizens and have stayed in the country the last two years. Norwegian citizens also have to own a minimum of 60 per cent of the shares and have to be authorised to vote for at least 60 per cent of the votes. Ownership to the fishing fleet shall be reserved for professional fishermen. To obtain the right to own a fishing vessel, one has to have a record of active, professional fishing on a Norwegian fishing boat for at least three of the last five years. It is prohibited for other persons than Norwegian nationals or companies, as defined above, to process, pack or transship fish, crustaceans and molluscs or parts and products of these inside the fishing limits of the Norwegian Economic Zone. This applies to catches from both Norwegian and foreign vessels. Exceptions are granted under special circumstances.
Purpose or motivation of the measure:	Resource conservation and management.

NORWAY

Sector:	All sectors
Sub-sector:	
Legal source or authority of the measure:	Not applicable
Succinct description of the measure:	Collective copyright and neighbouring rights' laws and measures: inter alia management systems, royalties, levies, grants and funds.
Purpose or motivation of the measure	To preserve and promote linguistic and cultural diversity in Norway.

APPENDIX 5 TO ANNEX XI

REFERRED TO IN ARTICLE 4.11

RESERVATIONS
BY SWITZERLAND

SWITZERLAND

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	Federal Act of 30 March 1911 (Code of Obligations) supplementing the Swiss Civil Code (Systematic Collection of Federal Laws and Regulations (RS 220)
Succinct description of the measure:	For a “corporation” (société anonyme/ Aktiengesellschaft), a “corporation with unlimited partners” (société en commandite par actions/ Kommanditaktiengesellschaft), a “limited partnership” (société à responsabilité limitée/Gesellschaft mit beschränkter Haftung) and a “cooperative” (société cooperative/ Genossenschaft) at least one member of the governing body of the legal person or another person with the right to represent the legal person must be domiciled in Switzerland. A foreign legal person may also establish one or several branch offices in Switzerland. At least one person of the branch office with the right to represent the branch office must be domiciled in Switzerland.
Purpose or motivation of the measure:	To facilitate judicial proceedings.

SWITZERLAND

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	Federal Act of 16 December 1983 on the Acquisition of Real Estate by Persons Abroad (RS 211.412.41)
Succinct description of the measure:	Acquisition of real estate is subject to authorisation by the relevant cantonal authority when the acquirer does not use the property to operate a permanent establishment.
Purpose or motivation of the measure:	Scarcity of available land.

SWITZERLAND

Sector:	Energy
Sub-sector:	Oil Prospection and Exploitation
Legal source or authority of the measure:	Concordat of 24 September 1955 on Oil Prospecting and Exploitation
Succinct description of the measure:	The inter-cantonal agreement (among 10 cantons) stipulates that oil concessions may be granted only to companies that are at least 75 percent Swiss-owned. Other cantons apply similar restrictions.
Purpose or motivation of the measure:	Energy policy considerations and national security.

SWITZERLAND

Sector:	Energy
Sub-sector:	Nuclear energy
Legal source or authority of the measure:	Federal Act of 21 March 2003 on Atomic Energy (RS 732.1)
Succinct description of the measure:	A concession to construct and operate nuclear facilities is granted only to a corporation, a cooperative or a legal person of public law. A foreign company must have a registered subsidiary in Switzerland. Without prejudice to international obligations, the Federal Council may refuse the concession to a foreign company if its home state does not grant reciprocity.
Purpose or motivation of the measure:	Energy policy considerations and national security.

SWITZERLAND

Sector:	Energy
Sub-sector:	Hydroelectric power
Legal source or authority of the measure:	Federal Act of 22 December 1916 on the Uses of Hydroelectric Power (RS 721.80)
Succinct description of the measure:	When granting concessions, cantons take public interest considerations into account (they may in particular require the concession-holder to have its registered office in the relevant canton).
Purpose or motivation of the measure:	Energy policy considerations and national security.

SWITZERLAND

Sector:	Energy
Sub-sector:	Pipelines
Legal source or authority of the measure:	Federal Act of 4 October 1963 on Pipelines for Liquid or Gaseous Fuels (RS 746.1)
Succinct description of the measure:	For foreign-owned or controlled companies a registered office and management presence in Switzerland is required.
Purpose or motivation of the measure:	Energy policy considerations and national security.

APPENDIX 5 TO THE PROTOCOL ON RULES OF ORIGIN

LIST OF COUNTRIES OR TERRITORIES PARTICIPATING IN THE EURO-MEDITERRANEAN PARTNERSHIP BASED ON THE BARCELONA DECLARATION

List of countries or territories participating in the Euro-Mediterranean partnership based on the Barcelona Declaration adopted at the Euro-Mediterranean Conference with the European Communities, held on 27 and 28 November 1995:

Algeria

Egypt

Israel

Jordan

Lebanon

Morocco

PLO for the benefit of the Palestinian Authority

Syria

Tunisia

Turkey