

CHAPTER 1

GENERAL PROVISIONS

ARTICLE 1.1

Objectives

1. The Parties hereby establish a free trade area by means of this Agreement and the complementary agreements on agriculture, concurrently concluded between Ukraine and each individual EFTA State.
2. The objectives of this Agreement, which is based on trade relations between market economies, are:
 - (a) to achieve the liberalisation of trade in goods, in conformity with Article XXIV of the General Agreement on Tariffs and Trade 1994 (hereinafter referred to as the “GATT 1994”);
 - (b) to achieve the liberalisation of trade in services, in conformity with Article V of the General Agreement on Trade in Services (hereinafter referred to as the “GATS”);
 - (c) to substantially increase investment opportunities in the free trade area;
 - (d) to achieve further liberalisation on a mutual basis of the government procurement markets of the Parties;
 - (e) to promote competition in their economies, particularly as it relates to economic relations between the Parties;
 - (f) to ensure adequate and effective protection of intellectual property rights; and
 - (g) to contribute, by the removal of barriers to trade and investment, to the harmonious development and expansion of world trade.

ARTICLE 1.2

Trade Relations Governed by this Agreement

1. This Agreement shall apply to trade relations between, on the one side, the individual EFTA States and, on the other side, Ukraine, but not to the trade relations between individual EFTA States, unless otherwise provided for in this Agreement.

2. As a result of the customs union established by the Treaty of 29 March 1923 between Switzerland and the Principality of Liechtenstein, Switzerland shall represent the Principality of Liechtenstein in matters covered thereby.

ARTICLE 1.3

Relation to Other International Agreements

1. The Parties confirm their rights and obligations under the Marrakesh Agreement establishing the WTO, the other agreements negotiated under the WTO to which they are a party, and any other international agreement to which they are a party.

2. This Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas, arrangements for frontier trade and other preferential agreements insofar as they do not have the effect of altering the trade arrangements provided for in this Agreement.

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 1.4

Territorial Application

1. Without prejudice to the Protocol on Rules of Origin, this Agreement shall apply:

- (a) to the land territory, internal waters, and the territorial sea of a Party, and the air-space above the territory of a Party, in accordance with international law; as well as
- (b) beyond the territorial sea, with respect to measures taken by a Party in the exercise of its sovereign right or jurisdiction in accordance with international law.

2. This Agreement shall not apply to the Norwegian territory of Svalbard, with the exception of trade in goods.

ARTICLE 1.5

Central, Regional and Local Government

Each Party shall ensure within its territory the observance of all obligations and commitments under this Agreement by its respective central, regional and local governments and authorities, and by non-governmental bodies in the exercise of governmental powers delegated to them by central, regional and local governments or authorities.

ARTICLE 1.6

Transparency

1. The Parties shall publish or otherwise make publicly available their laws, regulations, judicial decisions, administrative rulings of general application and their respective international agreements that may affect the operation of this Agreement.
2. The Parties shall promptly respond to specific questions and provide, upon request, information to each other on matters referred to in paragraph 1. They are not required to disclose confidential information.