

**CHAPTER 1**  
**GENERAL PROVISIONS**

ARTICLE 1.1

***Objectives***

1. Based on Article XXIV of the General Agreement on Tariffs and Trade (hereinafter referred to as the “GATT 1994”) and Article V of the General Agreement on Trade in Services (hereinafter referred to as the “GATS”), China and Switzerland shall establish a free trade area by means of this Agreement with a view to spurring prosperity and sustainable development.

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;
- (b) to achieve the liberalisation of trade in services;
- (c) to mutually enhance investment opportunities;
- (d) to promote competition in the Parties’ markets;
- (e) to ensure adequate and effective protection and enforcement of intellectual property rights;
- (f) to achieve further understanding of the government procurement of the Parties and lay the ground for future cooperation in this field;
- (g) to remove and avoid unnecessary technical barriers to trade, including sanitary and phytosanitary measures;
- (h) to develop international trade in such a way as to contribute to the objective of sustainable development and to ensure that this objective is integrated and reflected in the Parties’ trade relationship;

and to contribute in this way to the harmonious development and expansion of world trade.

3. The Parties shall interpret and apply the provisions of this Agreement in light of its objectives set out in paragraph 2 and in accordance with customary rules of interpretation of public international law.

## ARTICLE 1.2

### ***Geographical Scope***

Except as otherwise specified, this Agreement shall apply to:

- (a) with respect to China, the entire customs territory of the People's Republic of China, including land, maritime and air space, and the exclusive economic zone and the continental shelf within which it exercises sovereign rights and jurisdiction in accordance with international law and its domestic law; and
- (b) with respect to Switzerland, the territory of Switzerland, including land, internal waters and air space, in accordance with international law and its domestic law.

## ARTICLE 1.3

### ***Relationship to Other Agreements***

1. The Parties confirm their rights and obligations under the WTO Agreement and the other agreements negotiated thereunder to which they are parties and any other international agreement to which they are parties.

2. If a Party considers that the maintenance or establishment of customs unions, free trade areas, arrangements for frontier trade or other preferential agreements by the other Party has the effect of altering the trade regime provided for by this Agreement, or that there is inconsistency between this Agreement and other agreements to which both Parties are parties, it may request consultations. The other Party shall afford adequate opportunity for consultations with the requesting Party with a view to finding a mutually satisfactory solution in accordance with customary rules of interpretation of public international law.

## ARTICLE 1.4

### ***Central, Regional and Local Government***

Each Party shall ensure the observance of all obligations and commitments under this Agreement by its respective 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 1.5

### ***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, which may affect the operation of this Agreement.

2. The Parties shall respond to specific questions and provide, upon request, information to each other on matters referred to in paragraph 1, to the extent possible within 30 days<sup>1</sup> following the request.
3. The information referred to in paragraph 2 can be considered to have been provided by copying a notification to WTO for the same matter or by referring to the official, public and free of charge accessible website of the Party concerned.
4. In case of any inconsistency between the provisions of this Article and provisions relating to transparency in other Chapters, the latter shall prevail to the extent of the inconsistency.
5. The contact points established in Article 14.2 shall facilitate communications between the Parties on matters covered in this Article. Upon request of the other Party, the contact point shall identify the office or official responsible for the matter and assist, as necessary, in facilitating communication with the responding Party.

#### ARTICLE 1.6

##### ***Disclosure of Information***

Nothing in this Agreement shall require the Parties to disclose information that would impede law enforcement, is contrary to its laws or otherwise contrary to the public interest, or would prejudice the legitimate commercial interests of any economic operator.

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<sup>1</sup> For the purposes of this Agreement, “days” means calendar days.