

CHAPTER 1

GENERAL PROVISIONS

Article 1.1

Objectives

1. India and the EFTA States hereby establish a free trade area in accordance with the provisions of this Agreement.
2. The objectives of this Agreement are:
 - (a) to achieve the liberalisation of trade in goods, in conformity with Article XXIV of the *General Agreement on Tariffs and Trade*, set out in Annex 1A to the WTO Agreement (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*, set out in Annex 1B to the WTO Agreement (hereinafter referred to as the “GATS”);
 - (c) to mutually enhance investment opportunities;
 - (d) to promote competition in their economies, particularly as it relates to economic relations between the Parties;
 - (e) to provide for adequate, effective and non-discriminatory protection and enforcement of intellectual property rights;
 - (f) to develop their trade relations so as to contribute to the objective of sustainable development; and
 - (g) to contribute in this way to the harmonious development and expansion of world trade.

Article 1.2

Geographical Scope

1. Except as otherwise provided elsewhere in this Agreement, this Agreement shall apply:
 - (a) in respect of India: to the territory of the Republic of India, in accordance with the Constitution of India, including its territorial waters, and the airspace above it and other maritime zones including the Exclusive Economic Zone and continental shelf over which the Republic of India has sovereignty, sovereign rights, or exclusive jurisdiction in accordance with its law and the United Nations Convention on the Law of the Sea, and in accordance with international law;

- (b) in respect of the EFTA States:
 - (i) 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; and
 - (ii) to the exclusive economic zone and the continental shelf of a Party, in accordance with international law.
- 2. This Agreement shall not apply to the territory of Svalbard, with the exception of trade in goods.

Article 1.3
Trade and Economic Relations Governed by this Agreement

- 1. The provisions of this Agreement shall apply to the trade and economic relations between, on the one side, India and, on the other side, the individual EFTA States, but not to 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*, done at Bern, Switzerland shall represent the Principality of Liechtenstein in matters covered thereby.

Article 1.4
Relationship to Other Agreements

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

Article 1.5
Central, Regional and Local Government

Each Party is fully responsible for the observance of all obligations and commitments under this Agreement, and shall take such reasonable measures as may be available to it to ensure the observance of all obligations and commitments under this Agreement by its respective regional and local governments and authorities.

Article 1.6
Transparency

- 1. Each Party shall publish, or otherwise make publicly available, its laws, regulations, judicial decisions, administrative rulings of general application and

its respective international agreements, that may affect the operation of this Agreement.

2. A Party shall promptly respond to specific questions and provide, upon request, information to the other Parties on matters referred to in paragraph 1.
3. Nothing in this Agreement shall require a Party to disclose confidential information that would be contrary to its law or would impede law enforcement, or otherwise be contrary to the public interest or would prejudice the legitimate commercial interests of any economic operator.
4. In case of any inconsistency between the provisions of this Article and provisions relating to transparency in other Chapters of this Agreement, the latter shall prevail to the extent of the inconsistency.