

APPENDIX 5 TO ANNEX XI

SWITZERLAND – LIST OF MFN-EXEMPTIONS REFERRED TO IN ARTICLE 4.3

| Sector or Subsector | Description of measure indicating its inconsistency with Article 4.3 | Countries to which the measure applies | Intended duration | Conditions creating the need for the exemption |
|---|---|---|-------------------------------------|--|
| Audiovisual services | <p>To confer national treatment to audiovisual works covered by bilateral or plurilateral agreements on co-production in the field of audiovisual works, in particular in relation to access to funding and to distribution</p> <p>Measures granting the benefit of support programmes, such as MEDIA and EURIMAGES, and measures relating to the allocation of screen time which implement arrangements such as the Council of Europe Convention on Transfrontier Television and confer national treatment, to audiovisual works and/or to suppliers of audiovisual services meeting specific European origin criteria</p> | <p>All countries with whom cultural cooperation may be desirable (at present agreements exist with member countries of the Council of Europe and with Canada)</p> <p>European countries</p> | <p>Indefinite</p> <p>Indefinite</p> | <p>Promotion of common cultural objectives</p> <p>Promotion of cultural objectives based on longstanding cultural links</p> |
| Audiovisual services - only terrestrial broadcasting or when broadcaster wants to be supported financially through revenues of reception fees | <p>Concessions for the operation of radio or television broadcast stations may be granted, on the basis of reciprocity with regard to foreign capital participation in this sector</p> | <p>All countries in which access to broadcasting services is granted on the same basis as under Swiss law</p> | <p>Indefinite</p> | <p>Promotion of common cultural objectives, and to regulate access to a market limited in scale (given the size of Switzerland) in order to preserve diversity of supply</p> |

| Sector or Subsector | Description of measure indicating its inconsistency with Article 4.3 | Countries to which the measure applies | Intended duration | Conditions creating the need for the exemption |
|---|--|---|---|---|
| Internal waterways transport | To allow transport services on the Rhine including cabotage to vessels registered in countries other than Switzerland on the basis of the Mannheim Convention (including related additional articles and protocols) and other agreements on internal waterways transport in Europe | Beneficiaries of the Mannheim Convention and other agreements relating to internal waterways transport in Europe to which Switzerland may be a member (at present members of EC) | Indefinite | To regulate transport capacity on inland waterways |
| Road transport services (passenger and freight) | To regulate, on the basis of mutual access to the market, transport of goods and/or passengers by vehicles registered in countries other than Switzerland in, into, out of, or in transit through Swiss territory, normally pursuant to bilateral agreements | All countries with whom bilateral agreements on road transport or other arrangements relating to road transport exist or may be desirable (at present approximately 45 countries) | Exemption needed until multilateral liberalization of road transport services, taking into account regional specificity and environmental effects of road transport, will have been agreed upon | To take into account regional specificity of the provision of road transport services and to protect the integrity of road infrastructure and environment |
| All sectors | Measures based on bilateral agreements between the Principality of Liechtenstein, or the European Community and/or its Member States and Switzerland, with the objective of providing for the movement of all categories of natural persons supplying services. | The Principality of Liechtenstein and the EC | Indefinite | Elements of a comprehensive set of bilateral agreements between Switzerland and the Principality of Liechtenstein and between Switzerland and the EC |