

**AGREEMENT ON LABOUR AND
EMPLOYMENT COOPERATION**

BETWEEN

**THE FEDERAL DEPARTMENT OF
ECONOMIC AFFAIRS, EDUCATION
AND RESEARCH
OF THE SWISS CONFEDERATION**

AND

**THE MINISTRY OF HUMAN
RESSOURCES AND SOCIAL
SECURITY OF THE
PEOPLE'S REPUBLIC OF CHINA**

The Federal Department of Economic Affairs, Education and Research of the Swiss Confederation and the Ministry of Human Resources and Social Security of The People's Republic of China (hereinafter individually referred to as a "Party" or collectively as the "Parties"):

DESIRING to strengthen the longstanding economic and political relationship between China and Switzerland;

COMMITTED to the pursuit of sustainable development, taking into account the social, cultural and economic circumstances of China and Switzerland, and noting that the promotion of the social dimension of sustainable development is essential for long term economic prosperity;

DESIRING to strengthen bilateral cooperation to contribute to the development of appropriate global approaches to sustainable development issues;

RECALLING the Memorandum of Understanding between the Ministry of Human Resources and Social Security of the People's Republic of China and the Federal Department of Economic Affairs of the Swiss Confederation regarding Cooperation on Labour and Employment Issues of 15 June 2011;

CONSIDERING the objectives of the International Labour Organisation (hereinafter referred to as the "ILO") of which China and Switzerland are members;

CONVINCED that cooperation between the Parties relating to labour and employment will serve their mutual interests and contribute to strengthening the relations of friendship between China and Switzerland,

HAVE AGREED:

ARTICLE 1

Objectives and Scope

1. The Parties resolve to improve working conditions, promote decent work and protect and enhance basic workers' rights, taking into account the different domestic contexts, including development, social, cultural and historical backgrounds.
2. The Parties will strengthen bilateral cooperation relating to labour and employment as part of a global approach to trade and sustainable development.

ARTICLE 2

General Provisions

1. The Parties reaffirm the obligations of China and Switzerland as members of the ILO, including their commitments under the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up.
2. The Parties reaffirm the commitment of China and Switzerland, under the Ministerial Declaration of the UN Economic and Social Council on Full Employment and Decent Work of 2006, to recognising full and productive employment and decent work for all as a key element of sustainable development.
3. The Parties recall the obligations deriving from the membership of China and Switzerland to the ILO to effectively implement the ILO Conventions which they have ratified.
4. The Parties reaffirm the ILO Declaration on Social Justice for a Fair Globalization, adopted by the International Labour Conference at its 97th session in 2008.
5. The Parties recognise that it is inappropriate to encourage trade or investment by weakening or reducing the protections afforded in domestic labour laws, regulations, policies and practices in China and Switzerland.
6. The Parties recognise that it is inappropriate to set or use domestic labour laws, regulations, policies and practices for trade protectionist purposes in China and Switzerland.
7. The Parties will effectively enforce their respective domestic labour laws.

ARTICLE 3

Cooperation

1. The Parties reaffirm the importance of cooperation to further improve their respective labour standards and practices in line with their national labour policy objectives and according to the obligations set out in applicable ILO Conventions.
2. In pursuit of this objective, the Parties agree that cooperation relating to labour and employment, including administrative and technical cooperation as well as capacity

building, shall be conducted under the bilateral Memorandum of Understanding between the Ministry of Human Resources and Social Security of the People's Republic of China and the Federal Department of Economic Affairs of the Swiss Confederation regarding Cooperation on Labour and Employment Issues of 15 June 2011.

ARTICLE 4

Institutional Arrangements and Consultations

1. With a view to facilitating the implementation of this Agreement and related communications, each Party shall appoint contact points within six months following the entry into force of this Agreement.
2. Should any issue arise over the interpretation or application of this Agreement, a Party may request consultations with the other Party through the contact points. The Parties will make every effort to reach consensus on the matter through cooperation, consultation and dialogue.
3. If a Party seeks a meeting of the Parties to assist in the resolution of any such issues, the Parties will meet as soon as practicable and, unless otherwise jointly decided, no later than 90 days following the request.
4. The matter may be communicated to a joint meeting of the Parties, which may include Ministers, for consultation.

ARTICLE 5

Final Provisions

The Parties shall notify each other in writing the fulfilment of their respective domestic legal procedures in relation to the entry into force of this Agreement. This Agreement shall enter into force on the sixtieth day upon the issue of the latter notification. It shall remain in force indefinitely unless either Party gives notification of termination to the other Party with six months' notice.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto, have signed this Agreement.

Done at Beijing, on July 6, 2013, in two originals each in the Chinese, French and English languages, each text being equally authentic. In case of divergence between the language versions, the English text shall prevail.

For the Federal Department of Economic
Affairs, Education and Research of
the Swiss Confederation

For the Ministry of Human Resources
and Social Security of
the People's Republic of China

.....

.....