

TREATY
OF
FRIENDSHIP AND OF COMMERCE
BETWEEN
THE SWISS CONFEDERATION
AND
THE REPUBLIC OF LIBERIA

The Swiss Federal Council and the Government of the Republic of Liberia, desirous of strengthening and perpetuating the friendly relations happily existing between the two Countries have resolved to conclude a Treaty of Friendship and of Commerce and, for this purpose, have appointed as their respective Plenipotentiaries:

For the Swiss Confederation:

His Excellency Guy de Keller
AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF SWITZERLAND
TO LIBERIA

For the Republic of Liberia:

His Excellency Wilmot A. David
ACTING SECRETARY OF STATE, REPUBLIC OF LIBERIA

Who, having communicated to each other their respective full powers and found them in good and due form, have agreed upon the following Articles:

ARTICLE 1

There shall be perpetual peace and everlasting amity between the Swiss Confederation and the Republic of Liberia and their peoples.

ARTICLE 2

The nationals of each of the High Contracting Parties, within the territory of the Other shall be permitted to enjoy, on the basis of reciprocity, the right to enter, travel, reside, to acquire, possess and dispose of movable and immovable property, and to engage in trade, industry and other lawful pursuits, subject to, and except as prohibited by, the Constitution, Laws and other Regulations existing, or which may hereafter be promulgated, by the Other. They shall enjoy, in matters of procedure, the same treatment as is accorded to the nationals of the Other, with respect to the protection and security of their person and property and with regard to all judicial, administrative and other legal proceedings. The nationals of one of the Contracting Parties established or temporarily residing in the territory of the Other shall be permitted to export all their assets and belongings to the same extent as is accorded to the nationals of the most-favoured-nation.

ARTICLE 3

a) The High Contracting Parties agree to maintain the diplomatic missions already accredited to their respective capitals with the view of promoting friendly relations.

The diplomatic representatives shall enjoy, in regard to their duties, as well as to their persons, diplomatic privileges and immunities as recognized by international law on a reciprocal basis.

b) With the view of promoting trade and furthering the development of economic relations, each of the High Contracting Parties shall have the right to establish consulates-general, consulates, vice-consulates and consular agencies in the territory of the Other in places mutually agreed upon. Subsequent changes in the seat or district of a consular post may be made only with the consent of the receiving State.

Principal consular officers shall enjoy the immunities and privileges as recognized by general international law and they shall have the right to discharge their official duties in the country to which they are assigned provided they have been admitted in accordance with the laws or customs prevailing therein. Upon presentation of their commissions, they shall, as soon as possible, receive an Exequatur. Their consular district shall be stated in the commission. Other consular officials enjoy privileges and immunities from the time when the receiving State has approved their appointment after due notification.

The archives, documents and correspondence of consular posts shall be inviolable.

ARTICLE 4

Each High Contracting Party agrees never to intervene in the domestic affairs of the other Party.

ARTICLE 5

Each of the High Contracting Parties shall grant to the Other the treatment of the most-favoured-nation regarding the export, import and transit of goods, as well as customs and international payments.

The treatment of the most-favoured-nation shall be extended to the Liberian nationals, corporations, partnerships and commercial and industrial associations exporting to or importing into Switzerland goods originating from a third country or exporting from Switzerland to a third country goods of Swiss origin. The same treatment shall be extended to the Swiss nationals, foundations, associations and companies exporting to or importing into Liberia goods originating from a third country or exporting from Liberia to a third country goods originating from Liberia.

The treatment of the most-favoured-nation shall not extend to the tariff advantages, concessions and exemptions which are accorded or will be accorded by each of the High Contracting Parties to countries being part, together with this party, of a customs union or a zone of free trade already existing or which might be created in the future, or being part of the same monetary zone.

ARTICLE 6

The investments formerly or newly made by as well as property, rights and interests pertaining to the nationals, foundations, associations or companies of one of the High Contracting Parties in the territory of the Other shall receive a treatment just and equitable, equal to the treatment which is recognized by each Party to its own nationals or, if it is more favourable, the treatment granted to nationals, foundations, associations or companies of the most-favoured-nation.

Each of the High Contracting Parties agrees to authorize the free transfer of the product of work or activity exercised on its territory by the nationals, foundations, associations or companies of the Other, as well as, with regard to investments, the free transfer of interests, dividends, royalties and other income, of amortization and, in case of partial or total liquidation, of the product of such liquidation.

The High Contracting Parties shall not expropriate or nationalize property, rights or interests belonging to the nationals, foundations, associations or companies of the Other nor directly or indirectly dispossess them, except when such measures are taken in the public interest and unless it is done against payment of an effective and adequate indemnity, in conformity with international law. The amount of such indemnity shall be fixed at the time of expropriation, nationalization or dispossession, and shall be settled in transferable currency and paid without unjustified delay to the entitled national, foundation, association or company irrespective of their place of residence or seat. All measures of expropriation, nationalization or dispossession shall neither be of a discriminatory nature nor shall they be contrary to a specific engagement.

The High Contracting Parties agree to conclude, as early as possible, an Agreement with a view to creating favourable conditions for private investments in the two Countries and to fixing the modalities for the due protection of investments.

ARTICLE 7

Article 5 of the present Treaty shall be applicable to the Principality of Liechtenstein as long as the Principality is linked to the Swiss Confederation by a Treaty of Customs Union.

ARTICLE 8

The present Treaty shall be subject to ratification by the High Contracting Parties in accordance with their respective constitutional procedures. It shall be applied provisionally from the day of its signature and shall enter into full force and effect upon the exchange of the Instruments of Ratification, and shall thereafter remain in force unless and until terminated by one year's advance written notice.

In case of notice as to the termination of the Treaty, the provisions of Article 6 shall continue to be effective for a further period of ten years for investments made before written notice was given.

IN WITNESS WHEREOF, the Plenipotentiaries of the High Contracting Parties have signed the present Treaty and have hereunto affixed their seals.

DONE on this 23rd day of July, A.D., 1963, at Monrovia, Liberia, in two original copies in the English and French languages, both texts being equally authentic.

P. A. Luss.
FOR THE SWISS CONFEDERATION:

Siirunjoel
FOR THE REPUBLIC OF LIBERIA:

