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World Trade Organisation (WTO) – formerly GATT

Its significance for the Swiss Abroad

On July 1, 1995, Switzerland became a member of the World Trade Organisation (WTO), which has its headquarters in Geneva. What is the significance of the new world trade system for the Swiss Abroad?

It should be said in advance that the WTO does not affect the status of the Swiss Abroad in any way. But since many of our compatriots resident abroad are involved in trade the new rights and obligations of states created as a result of the GATT Uruguay Round do have a certain significance for them. Thanks to GATT-WTO these rights and obligations have become more predictable, and legal security has improved. As we go to press, 121 countries and customs areas have joined the new organisation which umpires trading conditions. Another 30, including China, Taiwan and Russia, are on the waiting list. These have still to complete negotiations on conditions for their accession with current WTO members.

One system – many issues

The steps towards reform which were made in the Uruguay Round may be summed up as follows:

1. The rules of world trade now apply to all trade in goods (both manufactured and agricultural), services and intellectual property in WTO member states. They will lead to gradual liberalisation, but the WTO agreement does not go so far as to create an actual free trade system.

2. Non-discrimination (goods imported from state A must not be treated other than those imported from state B), national treatment (a foreign national must not be treated other than a home national), transparency (knowledge about trade policy

measures must be as accessible as possible), most-favoured-nation treatment (the outcome of all bilateral negotiations must be valid for all members) are the most important basic principles of the multilateral trading system.

3. The field of goods covers both the obligation to reduce customs duties and rules on the following subjects: general regulations, subsidies, anti-dumping, technical barriers to trade, customs value, preshipment inspection, rules of origin, agriculture, trade in textiles and trade-related investment measures. For the first time all states participating in the negotiations – including many developing countries – have subjected all their customs duties to GATT rules. This means that they must not exceed the top rates laid down by GATT without compensation being offered to any exporting countries affected.

In some branches, such as pharmaceuticals and precision instruments, the most important importing and exporting countries have even agreed to abolish customs duties altogether. Customs duties on manufactured products were at the exceedingly high level of 45% in 1947, but have now fallen to 5% – and during the next five years will again drop by a third following the Uruguay Round. A traditionally low-duty country, Switzerland benefits from this trend, which promotes it as an industrial location. It is now the world's tenth biggest exporting country.

4. The services sector in-

cludes all tradeable services, including banking, insurance, tourism, professional services, etc. While the transparency rule and most-favoured-nation treatment must be applied throughout this field (although with some exceptions limited in duration), those on market access and national treatment are valid only for those types of services to which each individual state has agreed to apply them.

have now been superseded by the Agreement on Trade-Related Aspects of Intellectual Property (TRIPS), and additional protection standards have been negotiated (protection of computer software, trademarks for services, a minimum protection period for patents of 20 years).

This agreement also includes fundamental principles such as most-favoured-nation treatment, (with some exceptions), national treat-



Alongside the general rules on trade in services, there also exist here – as for trade in goods – national lists of obligations. Predictability of trading conditions and the gradual process of liberalisation are also of great advantage to Switzerland as a supplier of services.

5. The field of intellectual property has now been regulated for the first time in both fundamental and worldwide terms. It covers copyright and related law, trademarks, geographical indications, industrial designs, patents, know-how protection, etc. Existing agreements (such as the Berne Convention for the Protection of Literary and Artistic Works and the Paris Convention for the Protection of Industrial Property)

ment and transparency, and it lays down minimum obligations for the integration of intellectual property protection into national law (principles relating to penal, civil and administrative law and trans-frontier procedures). This third pillar of the WTO system is a plus for Switzerland as a centre of research.

6. In addition to all this, some 20 states have agreed to subject public procurement at the central government level and in some cases also at the provincial and municipal levels to increased competition and the rule of non-discrimination in the context of the WTO. This is based on the principle of reciprocity. Competition in awarding government contracts increases market opportunities



for Swiss products worldwide and may also result in savings in the federal budget.

7. The integrated settlement procedure for trade disputes between states in the fields covered by the WTO must be used by all the organisation's members. This implies an increase in legal security throughout the world trading system.

Safeguarding prosperity

WTO members are up against the challenge of insuring that the very substantial results of years of

negotiations are now put into practice correctly. At the same time they must implement the results of the negotiations on supervision and follow-up according to the action plans included in the agreements themselves and decided by ministers at the concluding conference of the Uruguay Round in Marrakesh. A consensus must also be arrived at on the upcoming negotiations in new areas (trade and the environment, investment, trade-relevant aspects of social security law, etc.). Active participation in the WTO is one of the three elements

(together with domestic renewal and paying increasing attention to fostering our relationship with the EU) of the Federal Council's strategy to safeguard prosperity in Switzerland.

If you would like to know more about this subject, please apply to your Swiss embassy or to the Federal Office for Foreign Economic Affairs, World Trade-WTO Section, CH-3003 Berne.

Minister L. Wasescha,
Deputy Director at the
Federal Office for Foreign
Economic Affairs,
Federal Department of
Foreign Affairs.

Swiss Review

Four languages, eighteen editions

In which language can I receive Swiss Review? The answer varies from country to country.

Swiss Review is published in four languages: English, French, German and Spanish. There is a special formula for Italy: Gazzetta Svizzera has the official news and some Swiss Review texts in Italian. In addition, four times a year Swiss Review includes regional news, of which there are all of eighteen different editions. With a circulation of 300,000 it is technically very costly in both time and money to take account of all language desires, and these cannot always be satisfied. The rules are as follows:

- In countries where the national language corresponds with one of Swiss Review's languages, only this edition is available. These are as follows: Australia, Austria, France, Germany, Liechtenstein, New Zealand, South Africa, Spanish-speaking Latin America, UK, USA.

- In Brazil, Portugal and Spain either the German or French edition may be obtained as desired.

- In all other countries you may choose between the English, French and German editions.

- So if you live in a country where your particular language desire can be satisfied, please inform your diplomatic post (embassy or consulate) of your choice.

- If you live in a country in which your preferred language is not available, you may subscribe to the edition in your desired language (but with the local pages of the edition you order) at a cost of Sfr. 40.– by applying to:

Secretariat for the Swiss
Abroad
Alpenstrasse 26
CH-3000 Berne 16
RL

Initiatives in brief

Moderation in immigration!

Continuing a tradition born in the 1960s, signatures are at present being collected for yet another initiative on the subject of foreigners in Switzerland organised by the Swiss Democrats and entitled "Moderation in immigration!". The initiative aims to include the following text in the federal constitution: "The federal government shall enact a law on immigration based on the following

principle: the annual number of immigrants of all categories shall not exceed the number of emigrants of all categories in the previous year. This figure shall not include Swiss Abroad or members of diplomatic and consular posts and international organisations". The intention is that in future new immigrants will be accepted only in so far as they replace departing ones.

Current popular initiatives

The following popular initiatives are still open for signature:

No hydroplanes on Swiss lakes!
until October 25, 1996

Franz Weber, Helvetia Nostra Foundation, P.O. Box, CH-1820 Montreux

For a people's value added tax
until January 11, 1997

The Ticino League, Giuliano Bignasca, via Monte Boglia 3, CH-6900 Lugano

Moderation in immigration!
until March 12, 1997

The Swiss Democrats, Bernhard Hess, P.O. Box 8116, CH-3001 Berne

Save on the military and defence in general – for more peace and future-oriented workplaces (redistribution initiative)

until March 26, 1997
Peter Hug, Flurstrasse 1a, CH-3014 Berne

More rights for the people thanks to the referendum with counter-proposal (constructive referendum)

until March 26, 1997
Jürgen Schulz, P.O. Box 7271, CH-3001 Berne

Deregulation initiative: more freedom – fewer laws

until June 5, 1997
Ernst Cincera, Former National Councillor, P.O. Box 8494, CH-8050 Zürich

For financing costly and longlasting infrastructure programmes

until October 16, 1997
Arnold Schlaepfer, 18 Avenue Cardinal-Mermillod, CH-1227 Carouge

Yes to fair rents

until October 30, 1997
Swiss Tenants' Association, Jean-Nils de Dardel, P.O. Box 3055, CH-1211 Geneva 3.