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THE BRIDGE  
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SWISS  
CHINESE  
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OF  
COMMERCE

中国瑞士商会

Swiss Business Awards  
Winners (Part 1)

Nestlé, ABB,  
Swisstouches

瑞士商业大奖得主 (一):  
雀巢 ABB 瑞斯丽

Switzerland's Free  
Trade Weapon:

Interview with

"Mr. FTA"

Christian Etter

访谈“自由贸易协定  
谈判专家”

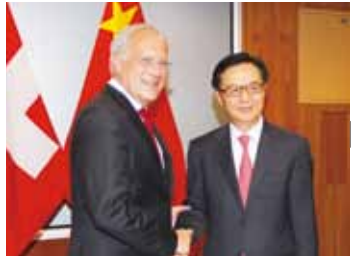
# A Historic Handshake

Background, Milestones, Opinions, Provisions

历史性的握手——背景、历史回顾、评论、条款分析



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摩科瑞北京公司主要经营燃料油、煤炭、铁矿石等大宗商品的国际贸易及内贸业务。2012年初，摩科瑞宣布把其全球性贸易活动拓展至基本金属领域。这项业务已分别在伦敦和上海展开，主要专注于铜、铝、锌、镍、锡和铂的交易，并在伦敦金属交易所、芝加哥商业交易所和上海期货交易所进行交易。摩科瑞上海公司是集团公司全球金属业务的决策中心。

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Mercuria Energy Group is working with our Chinese counterparties to bring energy and other products to China to help this great nation grow and prosper.



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Beijing, July 6th 2013:  
Federal Councillor Johann  
N. Schneider-Ammann and  
the Chinese Minister of  
Commerce Gao Hucheng  
signed the bilateral free  
trade agreement between  
Switzerland and China.

2013 年 7 月 6 日，瑞士联邦  
委员约翰施耐德·阿曼和  
中国商务部部长高虎城在  
北京签署了中瑞自由贸易  
协定。



*Dear Members of SwissCham China,  
Members of the Swiss Business Community in China,  
Friends of Switzerland,*

It is my great pleasure to reach out to you today, especially since the occasion of doing so couldn't be a more joyful one. In July of this year, I had the great pleasure to sign, on behalf of our country, a Free Trade Agreement (FTA) with the People's Republic of China.

Looking back, I recall the illustrious moment when my counterpart, Minister of Commerce Gao Hucheng, and I put our signatures under the agreement - a treaty consisting of more than 1000 pages, weighing almost ten kilos. Admittedly, it was a moment deeply filled with joy and pride.

But my personal feelings are only of secondary importance. This FTA has been concluded first and foremost for you - the ever growing Swiss business community doing business with China, and also for the benefit of the whole Swiss economy. This is why I am happily reaching out to you with this message, as you will be the true beneficiaries of the FTA, together with Chinese beneficiaries doing business with Switzerland.

This agreement is a milestone in the history of foreign economic affairs of Switzerland and clearly the most important of its kind. Essentially, it creates a predictable legal framework, rooted in international law, for economic exchanges between our two countries. It improves mutual market access for goods and services, and it increases legal security in the field of intellectual property and for bilateral economic relations in general.

However, the FTA goes far beyond that. Thanks to this agreement, the bilateral relation between Switzerland and the world's second largest economy will be significantly affected, and for sure, the relations will intensify considerably. Bear in mind that the FTA does not stand alone. At the same time, we also signed an agreement concerning labour and employment issues, which strengthens the social dimension of the Sino-Swiss cooperation. Furthermore, both

sides are committed to continue the dialogue on human rights that had started in 1991, and agreed to intensify cooperation regarding education and research. In these fields, which are reaching beyond trade, Switzerland has a lot to offer, and Switzerland is prepared to contribute to further improving overall living conditions in China.

With the FTA, the story that started with Switzerland's early recognition of the People's Republic of China in 1950 continues to be written. Our country was amongst the first nations to establish diplomatic relations with China. And many years later, Switzerland once again, was amongst the first countries to recognize China's status as a market economy. Furthermore, it was the Swiss elevator and escalator company Schindler with which China signed its first industrial joint venture. Through all this, Switzerland and China set marks that stretch beyond normal protocols of diplomacy.

Once ratified by both sides, the agreement will make the already flourishing Sino-Swiss trade relations reach new heights. Only then the agreement can be considered a true success, and for the benefit of both countries. Your visions, courage, and entrepreneurial spirit will turn paper into impressive trade figures and jobs. For this endeavour, and as a former entrepreneur myself, I wish you another very important ingredient of success - the very best of luck!

Sincerely yours

*Johann N. Schneider-Ammann*

Head of the Federal Department of Economic Affairs,  
Education and Research





## 亲爱的中国瑞士商会会员、瑞士驻华企业 以及来自瑞士的朋友们：

今天我 very 荣幸与各位交流，尤其是在这样难得的喜庆时刻。今年7月，我很高兴代表我国与中华人民共和国签署自由贸易协定（FTA）。

我和中国商务部部长高虎城先生在长达1,000多页、重约10公斤的协议书上签字的时刻被公认为十分辉煌的一刻，在那一刻，我内心深处充满了喜悦与骄傲。

不过，我个人的感受还在其次。这次自由贸易协定主要服务于越来越多的成功与中国开展贸易活动并在中国运营的瑞士企业，以及瑞士整体经济的发展。这也是我通过这种方式与你们交流的原因，你们以及与瑞士打交道的中国企业才是自由贸易协定的真正受益者。

本协议是瑞士在对外经济事务领域的里程碑，是瑞士签署的最为重要的自由贸易协定。它从根本上创造了一个植根于国际法的可预见的法律框架，为两国间的经济交流服务。总的来看，它改善了两国间的商品与服务准入，提高了知识产权领域的法律安全，增强了双边经济关系。

不过，自由贸易协定带来的不止是以上提到的这些。本协议的签署将使瑞士与世界第二大经济体间的双边关系获得大幅提升，这种关系肯定还会进一步加强。需要指出的一点是，自由贸易协定并不是独立存在的。我们同时还签署了关于劳动力与雇佣问题的协定，这将加强中瑞在社会层面的合作。此外，双方还致力于继续开展自1991年以来的人权问题对话，并就加强教育与研究领域的合作达成了一致。在这些贸易之外的其他领域，瑞士都拥有较强的实力，瑞士已经准备好为进一步改善中国的整体生活条件而做出贡献。

随着自由贸易协定的签署，两国延续了自1950年瑞士最早承认新中国以来的友好关系。我国是第一批最早与中国建立外交关系的国家之一，也是第一批最早承认中国市场经济地位的国家之一。此外，在中国成立的第一家合资企业就是与瑞士电梯与自动扶梯公司迅达合作的。经过这一切，瑞士和中国的关系已经超越了传统外交的范围。

一旦双方正式批准该协定，协定必定会将欣欣向荣的中瑞贸易关系推向新的高潮。只有那时，协定对于双方来说才是真正的成功。你们的愿景、勇气和企业家精神将推动协议书转变为贸易数字和工作机会。我希望本协议的签订是你们通过努力获得成功的另一重要要素，祝各位生意兴隆！

约翰·施耐德—阿曼

联邦经济、教育与创新部长



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FTA between Switzerland and China

# “Most Important FTA since 1972”

## 瑞中自由贸易协定： “自1972年以来 最重要的FTA”

He is Switzerland's most powerful “free-trade weapon”. Ambassador Christian Etter, Chief Negotiator and head of the Swiss delegation negotiating the FTA with the People's Republic of China, grants a rare glimpse into his job as a trade diplomat.

Interview\_ **Fabian Gull**, Berne

**Q Now that the FTA with China is signed, is the China file now off your desk?**

**Christian Etter:** Not at all! An important step has been accomplished, yes. The ratification of the agreement is next. This means that the competent authorities of both sides need to approve the FTA before it can enter into force. On the Swiss side, approval by both Chambers of Parliament is required.

**Q Will the Swiss Parliament have its say in the plenary session this fall?**

If all goes as planned, the first Chamber of the Swiss Parliament will vote on the FTA coming December, and the second Chamber in March 2014.

**Q What happens until then? Please walk us through the next steps.**

During summer, an explanatory report was established. This report, which includes the texts of the agreement in an appendix, was submitted to the Parliament by the Federal Council (the Swiss



cabinet) in September. Now the parliamentary committees are evaluating the agreement. In this process, many questions have to be answered, requiring carful research and preparation. As you can imagine, all this means that China-related work will continue for some time to be a priority task for me and my team (laughing).

Q And in China?

As far as I was told by my Chinese counterparts, China will take its decision either late this year or early next year. In other words: the process is moving simultaneously in both countries.

Q In the best case, when will the FTA enter into force?

After completion of the internal procedures on both sides, the two capitals will notify each other accordingly. This should be possible sometime in the first half of next year, allowing the agreement to enter into force as early as possible in the second half of 2014, once the three month waiting period foreseen by the final provisions of the FTA will be over.

“More than 95% of bilateral trade will be covered by tariff reductions.”

Q What are the reactions on the Swiss side?

Mostly very appreciative. The FTA is widely considered as a milestone, providing for a new dimension of the bilateral relations between China and Switzerland.

Q Any negative feedback?

As always with such complex projects, it is not possible to fully meet all expectations.

Q How do you respond?

The result is a real win-win situation for China and for Switzerland. We have reached substantial results in all areas under negotiation.

Q Like what?

The FTA provides for elimination or substantial reduction of tariffs on the vast majority of bilateral trade. It will enhance transparency and legal security relating to, in example, trade in services and the protection of intellectual property rights. In many more fields, intensified cooperation is foreseen. The FTA includes provisions promoting implementation of the agreement consistent with the objective of sustainable development, including protection of the environment and social progress.

Q What makes you believe these are more than just “nice but empty” words?

Any agreement is as good as the will of the parties to abide by it.

China and Switzerland enjoy longstanding relations of friendship and mutual trust. Both China and Switzerland are reliable partners, so there is no doubt that both sides are serious about it.

Q Let’s recap the evolution of the FTA briefly.

I was in Beijing for the first time with this mission in late 2007, establishing working level contacts, after the two respective Trade Ministers had decided to explore the possibility of a bilateral free trade agreement. In the following two years, both sides studied the issue internally, and industry workshops were organized bringing representatives of industry associations and government officials of both sides together to exchange views on opportunities, risks and possible positions relating to a FTA. Then, a joint feasibility study was established, which was finalized in 2010. Based on the report of the joint study group, Federal Councillor Johann Schneider-Ammann and the then Chinese Minister of Trade, Chen Deming, launched the negotiations in January 2011. Between April 2011 and May 2013, nine rounds of negotiations were held, with the meetings taking place alternatively in China and in Switzerland.

Q Overall, a relatively quick process, right?

I am glad you think so. Well, it always depends when in the process you start counting. I have been involved in other negotiations that lasted for between six months and close to ten years (laughing). Both were special cases. A process of two years is, indeed, a respectable pace.

Q Switzerland, unlike the WTO and the EU, does recognize China as a market economy.

Switzerland decided on a bilateral level to recognize China’s status as a market economy in 2007, taking into account the great efforts China has taken opening up its economy in the past decades.

Q Is mutual recognition as a market economy a prerequisite to enter into free trade talks?

It isn’t a formal requirement. But China appreciated the step.

Q In the media, the FTA with China was widely considered as a milestone. Your view?

Switzerland’s foreign economic policy seeking market access is based on three main pillars: WTO membership, bilateral agreements with the EU, and free trade agreements with trading partners around the world. After the FTA with the EU concluded in 1972 the FTA with China is the second most important trade agreement Switzerland

“I have been involved in free trade negotiations that lasted for between six months and close to ten years.”

ever signed. After the EU and the US, China is Switzerland’s third most important trading partner.

Q The Doha round of the WTO is blocked - no objectives have been reached in the past decade.

The Doha negotiations have, indeed, reached an impasse and came to a virtual standstill. Not much progress seems to be possible in the short term. With now close to 160 WTO members, it has become difficult to find common ground. However, the multilateral trading system of the WTO has not lost in importance. The tariff reductions of the Uruguay round are still valid, and so are the other existing agreements of the WTO, such as the General Agreement on Trade in Services (GATS) and the TRIPS Agreement (protection of intellectual property). Multilateral liberalization in the framework of the WTO, if feasible, would still be the best way, in particular from the perspective of a mid-sized economy like Switzerland with broadly diversified export markets. Think of it as one agreement for all WTO members, which would cover practically the whole world.

Q Is there a clear trend towards preferential agreements?

Clearly, yes. As prospects for further liberalization in the WTO remain uncertain, bilateral or preferential agreements among two or a limited number of parties gain in importance.

Q Federal Councillor Johann N. Schneider-Ammann labelled the FTA as a “good, but not an ideal treaty”. What is missing?

Mutual interests are covered to a very large extent. The agreement ensures significant improvements in all sectors. Overall, more than 95% of bilateral trade will be covered by tariff reductions. Then, there are substantive provisions on technical barriers to trade, trade facilitation and customs procedures, on trade in services and on intellectual property rights, as well as on other policies related to trade. On the other hand, there is potential for further improvements. The conclusion of a broadly based free trade agreement is not so much the end of a negotiation process, but rather the start of a new partnership. Therefore, the FTA includes review clauses allowing to do even better in the future.

Q Some say, Switzerland did not negotiate well because of long transition periods relating to tariff dismantling.

Transition periods are a proven device in trade negotiations, e.g. in situations where initial conditions differ substantially. The average incidence of Swiss customs duties on industrial products amounts to less than 2%, China’s average equals around 8%. Under such circumstances, transition periods affording time to adjust to considerable tariff reductions may make tariff concessions possible - which would otherwise not be available. However, not all products are subject to transition periods in the Switzerland-China FTA. There are four categories of products. Those that are tariff-free according

“After the FTA with the EU, concluded in 1972, the one with China is the second most important FTA Switzerland ever signed.”

to the WTO or that will become tariff-free with the FTA entering into force. Then there are products subject to gradual tariff elimination, typically over 5 or 10 years. A third category of products will be subject to partial tariff reduction. And lastly, for some particularly sensitive products, tariffs will remain unchanged.

Q The wealth generating and mutually beneficial effect of trade is a basic rule in economic theory. In reality, however, this is anything but widely accepted. Why?

According to welfare economics, lowering barriers to trade allow to make better use of comparative advantages, thereby enhancing productivity and income. If this was the dominating view in politics, we would live in a world without tariffs and other obstacles to trade - and there would be no need to negotiate FTAs (laughing). In reality, protectionist interests come into play. Trade liberalisation may meet with resistance as ensuing adjustment processes raise concerns in certain sectors of the economy.

Q Chinese have a reputation for being very tough, maybe even cunning, negotiators. What is your perception?

Swiss negotiators are also cunning (laughing). Joking aside, the spirit was good and friendly, and the proceedings were constructive. I enjoyed working with the Chinese delegation, and I am looking forward to future opportunities to stay in touch. I have the impression that their approach is similar to ours, having clear objectives, being pragmatic and oriented towards results. Still, there were sometimes difficult situations to overcome when positions seemed to be insurmountable.





### Did cultural differences play an important role?

The legal and political systems differ, as well as economic and trade policy traditions. Yet, when professionals on both sides come together dealing with topics both sides know well, you can do real work - without suffering from a cultural shock.

### How big were the delegations?

The Swiss delegation included some 15 to 30 people, which is larger than what is usually the case when we negotiate free trade agreements. On the Chinese side, between 25 and 60 persons were involved, depending on the agenda of a particular meeting. Negotiation rounds usually lasted for several consecutive days, during which the teams worked on the various subjects in up to ten parallel working groups. So you can imagine that the delegations were very busy, indeed.

### How do you gain your counterpart's trust in a negotiation?

Establishing a relationship of confidence and trust is crucial. An open-minded willingness to cooperate is required. Other important ingredients are credibility and reliability. You have to be well prepared and behave consistently. Otherwise, you will not be convincing and will not earn the respect of your counterpart. Personal characteristics like empathy and a genuine interest for the other side's motivations, goals and constraints are very important, too. Paired with imagination and creativity, this is the key to successful negotiations.

### In an interview with the Swiss media only shortly before the breakthrough was announced, you were extremely cautious about a conclusion to happen anytime soon. Were you just being modest or was the deal really on the brink of failure?

In a multidimensional process such as this, with many influences at work on both sides, you better be careful. Much can happen till the very end, new concerns or unpredicted requests may come up. There is always a last hour uncertainty to deal with in this business.

### The term "free trade" is misleading. Wouldn't it be more accurate speaking of a "tariff reduction agreement"?

Discussions about what "free trade" really means last for a long time. Legally, the term "free trade" roots in the General Agreement on Tariffs and Trade (GATT), the multilateral agreement on trade in goods dating from 1947, which is now part of the WTO. The definition requires coverage of "substantially all the trade", without specifying



Ambassador **Christian Etter**, (1953), is the Federal Council's Delegate for Trade Agreements and head of the Special Foreign Economic Service Division in the Foreign Economic Affairs Directorate. As such, he was leading the Swiss delegation in the negotiations with China. The FTA with China is the 12th FTA he has brought to a successful conclusion in his career (in the role of Chief Negotiator). Etter, a master of his trade, learned the basics of his profession at the WTO Uruguay Round. He was head of the EFTA/Free Trade Agreements Division in SECO, and from 1996 to 2000 he was head of the Division for Financial, Economic and Trade Affairs at the Embassy of Switzerland in Washington, D.C. with the title of a Diplomatic Minister. From 1991 to 1996 he was head of the International Services Division of the former Federal Office for Foreign Economic Affairs, which he joined in 1985 as an economist.

a percentage. Already in 1947, a zero tariff agreement without exceptions was considered an illusion.

### The secret winners are the Swiss farmers, as they won't have to make big concessions, contrary to what they feared.

This is your assessment. The Swiss farmers association puts it differently, saying it does not harm agriculture much, but does not provide many benefits for the sector either. In my view, they underestimate the potential of the Chinese market for Swiss agricultural products. Time will show. Fact is, that the agreement does provide additional market access opportunities for both sides also regarding agricultural products.

### What are the benefits for Swiss banks and insurers?

The banking, securities and insurance businesses of both sides are

covered by the provisions on trade in services. There are information and transparency rules regarding financial regulations and application procedures, and there are rules on national treatment concerning prudential measures. As China is currently revising its banking legislation, the possibility for commitments regarding specific activities was limited. However, China enhanced the scope of market access guarantees relating to certain securities services.

### Easier movement of persons also facilitates trade. Were you also discussing this, e.g. easier visa requirements?

Visa policy has much broader implications than trade. Therefore, general visa policy cannot be efficiently dealt with in a free trade agreement. However, supply of services is an important part of the Switzerland-China-FTA, including supply of certain services by personnel transferred abroad by their companies. Hence, the agreement includes rules for transparent and expeditious application procedures regarding work permits for specific services listed in the FTA, as well as for granting visa.

### What are the implications, if any, on foreign direct investment (FDI)?

FTAs do have a positive impact on FDI. Statistical analysis shows that not only two way trade between Switzerland and its FTA partners, but also FDI, grows significantly faster compared to the trade and investment flows with other trading partners. This effect is reinforced by Investment Protection Agreements, which Switzerland concluded with a large number of countries, including China.

### How do you know those positive impacts are because of the FTA? This can have numerous other reasons.

Strictly speaking, it is not possible to identify the specific impact of an FTA. But the empirical finding is nevertheless a fact. Whether the observed statistical correlation reflects causality is of course arguable. But inversely, it is also hard to imagine that the correlation has nothing at all to do with the effects of FTAs.

### Will there be less fake Swiss watches in China due to the agreement?

The Chinese authorities increasingly take efforts to fight counterfeiting and piracy. They also recognize that there is still a lot to do. The FTA includes provisions to that effect, including as regards cooperation between the competent authorities.

### Let's talk about first-mover risks. What if the EU, one day, concludes a FTA with China at more favourable terms? Is it possible to renegotiate?

First-mover benefits prevail! Besides, the FTA includes several review and evolutionary clauses, foreseeing that both parties will, from time to time, jointly review the agreement and try to improve it.

## "The FTA includes review clauses allowing to do even better in the future."

### The FTA also enhances legal security in bilateral trade. What can a Swiss company do when encountering problems in China?

When encountering difficulties in China - or vice versa with difficulties encountered by Chinese companies in Switzerland - you should try to clarify the issue with the competent authority of the host country, including making use of readily available judicial or other review procedures. Embassies and Consulates could also be asked for advice. Swiss companies could then turn to SECO, Chinese companies to MOFCOM, the two authorities designated by the agreement as contact points for FTA matters. The contact points of China and Switzerland would then interact with a view to examining and solving the issue. There is also an intergovernmental Joint Committee established by the agreement where both governments may bring up any issue arising under the FTA. These institutional settings of the FTA create an environment for facilitated cooperation of competent authorities of both sides.

### What negotiations are next in the pipeline?

Switzerland presently has a network of 28 FTAs, including the agreement with China. Currently under negotiation are new FTAs with India, Indonesia, Vietnam and the Customs Union of Russia-Belarus-Kazakhstan. Also in the pipeline are Thailand and Malaysia.

瑞士最强大的“自由贸易协定谈判武器”、瑞士与中华人民共和国自由贸易协定谈判首席谈判官及瑞士代表团团长 Christian Etter 罕有的向《桥》讲述了贸易外交官的工作。

作者 方必安, 伯尔尼

### 现在瑞士与中国已经签署了自由贸易协定, 与中国相关的谈判事宜是否已经结束了?

**Christian Etter:** 不是的! 我们现在确实取得了重大的进展, 但下一步是对协定的审批, 这就意味着在正式执行前, 需要双方主管当局通过该协定。在瑞士方面, 协定需要国会两院的批准。

### 瑞士国会在今年秋季的全体会议上会就此表态吗?

如果一切按计划进行的话, 瑞士国会上议院将于 12 月对自由贸易协定进行投票, 下议院将于 2014 年 3 月投票。



**回 在那之前会走哪些程序呢? 请给我们介绍一下这些程序。**

在夏季我们创立了一份解释报告。这份附件包含协定原文的报告已于今年9月由瑞士联邦委员会(瑞士内阁)提交国会。现在国会正对该协定进行审批, 在此过程中会提出许多问题, 要回答这些问题需要仔细的研究和准备。如你所想象的, 与中国相关的工作在未来一段时间内将仍是我和我的团队的首要任务(笑)。

**回 在中国会经过哪些程序呢?**

据我从中方的了解, 中国将于今年年末或明年年初对协定进行审批。换句话说: 两国的审批程序将同时进行。

**回 如果一切都进展顺利的话, 自由贸易协定什么时候会开始实施?**

在双方都完成内部审批程序后, 双方将通知对方。这估计会发生在明年上半年, 一旦自由贸易协定的最终条款经过可预见的三个月等待期, 最早在2014年下半年就可以正式执行实施。

**回 瑞士方面对协定的反应怎么样?**

基本上都很满意。自由贸易协定被广泛认为是

“在1972年与欧盟达成自贸协定后, 与中国的自贸协定是瑞士有史以来签署的第二个最重要的贸易协定。”

中瑞外交关系的里程碑, 将为中瑞双方带来新层面的双边关系。

**回 有没有负面的反应?**

像这样复杂的项目总是不可能完全满足所有人的期望。

**回 你是怎么看的?**

现在的结果对中瑞双方来说是真正的双赢。我们在各个领域的谈判中都取得了实质性成果。

**回 能举个例子吗?**

自由贸易协定将对大部分双边贸易实行零关税或大幅关税减让, 它还将提高如服务贸易和知识产权保护等相关方面的透明度和法律安全, 在许多其他方面双方也将加强合作。自由贸易协定还包括促进与可持续性发展目标(包括保护环境和社会进步)相一致的协定实施的条款。

**回 协定到底能带来哪些实际利益呢?**

任何协定都体现了遵守它的双方的意愿。中国和瑞士长期以来都保持着友好关系和共同信任, 中国和瑞士都是可信赖的合作伙伴, 双方对于自由贸易协定都持非常严肃的态度, 这一点毫无疑问。

**回 带我们简单回顾一下自由贸易协定的谈判历程吧。**

在双方贸易部长决定探索双边自由贸易协定的

可能性后, 2007年末我首次带着自由贸易协定谈判的使命来到北京, 建立工作上的联系。在接下来的两年里, 双方内部都对这一问题进行了研究, 并组织了行业讨论会, 将双方的行业协会和政府官员代表聚到一起, 就与自由贸易协定相关的机会、风险和可能的定位交换看法。随后, 双方开展了联合可行性研究, 并于2010年完成。基于联合研究小组的报告, 联邦委员约翰施耐德-阿曼和当时的中国商务部部长陈德铭先生于2011年正式启动了谈判。在2011年4月至2013年5月期间, 双方共进行了九轮谈判, 谈判轮流在中国和瑞士进行。

**回 整体来看, 谈判进行的很快, 是吗?**

我很高兴你这么认为。这取决于你从什么时候开始计算谈判的起始。我曾经参加过为期6个月到近10年不等的其他谈判(笑)。不过这都是很特殊的例子。两年的谈判期确实是比较合理的进度。

**回 与WTO和欧盟不同, 瑞士承认中国的市场经济地位。**

瑞士在2007年就决定在双边关系层面上承认

中国的市场经济地位, 主要是考虑到中国在过去几十年里在经济开放方面做出的巨大努力。

**回 相互承认市场经济地位是进入自由贸易谈判的前提条件吗?**

没有这样的正式要求, 不过中国对这样一步表示欢迎。

**回 据许多媒体报道, 与中国签署自由贸易协定被广泛认为是一大里程碑, 你怎么看?**

瑞士寻求市场准入的对外经济政策主要基于三大支柱: WTO成员国、与欧盟的双边协定以及与世界贸易伙伴的自由贸易协定。在1972年与欧盟达成自由贸易协定后, 与中国签署的自由贸易协定是瑞士有史以来签署的第二个最为重要的贸易协定。中国是瑞士的第三大重要贸易伙伴, 仅次于欧盟和美国。

**回 WTO多哈回合受阻, 在过去10年里没有实现任何目标。**

多哈谈判确实陷入了僵局, 进入了停滞不前的阶段, 短期内来看也不会有太大进展。WTO在拥有近160名成员国的情况下, 要达成各方都满意的结果十分困难。不过, WTO的多边贸易体系仍然拥有重要的地位, 乌拉圭会合的关税减让仍然有效, 其他WTO现有的协定如服务贸易总协定(GATS)和TRIPS协定(知识产

权保护)也都将继续实施。如果可行的话, 在WTO框架下的多边自由化仍将是最好的办法, 尤其是像瑞士这样拥有十分多样化的出口市场的中等规模国家。一个令所有WTO成员国都满意的协定, 基本上就是一个要令整个世界都满意的协定。

**回 现在的趋势是否明显朝着优惠贸易协定的方向发展呢?**

很显然的。由于WTO进一步自由化的前景仍然不明确, 双边协定以及双方或是有限的多方优惠贸易协定就变得更为重要了。

**回 联邦委员约翰·施耐德-阿曼认为自由贸易协定是一个“有用但并不完美的协定”, 那么缺失的是什么呢?**

共同利益在协定中有很大的体现, 协定确保所有部门都得到大幅改善。总体来看, 95%以上的双边贸易都将享受关税减让。此外, 还有许多其他实质性条款, 包括贸易、贸易便利化和海关手续等技术壁垒条款, 服务贸易、知识产权以及其他与贸易相关的政策条款等。换个角度来说, 未来还有进一步改善的潜力。一个范围广泛的自由贸易协定的达成并不是谈判过程的终结, 而是新的合作关系的开始。因此, 自由贸易协定包括允许未来进行进一步改善的审核条款。

**回 由于协定中一些与关税相关的较长过渡期规定, 有些人认为瑞士的谈判不是很成功。**

过渡期是贸易谈判中一个十分重要的工具, 比如当双方最初的条件相差很大的情况下。在工业产品方面, 瑞士的海关税平均发生率合计不到2%, 而中国的平均水平约为8%。在这种情况下, 过渡期是给对方进行实现大幅关税减让的调整时间, 这样才为关税减让提供了可能。不然的话, 就不可能实现关税让步的目的。不过, 在瑞中自由贸易协定中, 并不是所有的产品都有过渡期。我们可以把所有的产品分为四类: 那些WTO条款规定的零关税产品或是那些自由贸易协定实施后享受零关税的产品; 那些在5或10年逐渐实现关税减让的产品; 那些部分享受关税减让的产品; 以及某些特殊的敏感型产品的关税将维持不变。

**回 在经济理论中, 财富创造与共同利益效益是进行贸易的基本原则。不过在现实中, 它似乎并不被接受。为什么?**

按照福利经济学的说法, 降低贸易壁垒可以更好的利用相对优势, 从而提高生产力和收入。如果这种观点在政界占主导地位的话, 那么我们的世界就会是一个没有关税和任何贸易障碍的世界, 也就没有必要进行自由贸易协定的谈判

了(笑)。事实是贸易保护主义占居主导, 贸易自由化处处碰壁, 因为它所带来的政策调整过程将会损害某些经济部门的利益。

**回 中国的谈判专家以强硬或者说狡猾著称, 你怎么看?**

瑞士的谈判专家也很狡猾(笑)。严肃的说, 整体的谈判精神很饱满, 氛围很友好, 谈判的进展也很有建设性。我很享受跟中国代表团的合作, 我希望未来还有机会继续保持联系。我认为他们的方法与我们很相似: 都有清晰的目标、求真务实和结果导向。不过, 有时也会出现一些似乎难以逾越的情况和较难克服的困难。

**回 文化差异是否会影响谈判呢?**

双方的法律和政治体系不同, 而且经贸政策传统也不同。不过, 当双方的专家坐在一起谈双方都很熟悉的话题时, 文化差异的影响并不大。

**回 双方代表团的规模分别有多大?**

瑞士代表团由15-30个人组成, 比我们以往的自由贸易协定谈判团队都大。中国代表团由25-60人组成, 根据具体的会议议程而有所不同。每个回合的谈判往往都要连续进行几天的时间, 在这期间双方的团队最多可分为10个针对不同问题的平行小组。所以, 你也可以想象双方代表团确实都是十分忙碌的。

**回 在谈判中如何取得对方的信任呢?**

关键是建立自信和互信的关系, 必须持有希望合作的开放态度, 其他重要因素还包括可信和可靠性等。在谈判前必须充分准备, 在谈判中行为一致, 不然的话你提出的观点就不足以说服人, 也不能得到对方的尊重。共鸣以及真正关心对方的动机、目标和约束等个人特点也是十分重要的。再加上想象力和创造力, 这些就是成功谈判的关键。

**回 在谈判取得突破性进展前的一次瑞士媒体的采访中, 你对很快达成协定的态度十分谨慎。你当时这样表现是因为谦虚还是因为谈判真的处于失败的边缘?**

在这样一个双方都受到诸多影响的多维度的谈判过程中, 谨慎是很必要的。在谈判的尾声什么都有可能发生, 比如说新的担忧或是之前没有预料到的要求等。在谈判中, 总是会出现最后一个小时的不确定的情况。

**回 “自由贸易”这个术语有点误导人, 称它为“关税减让协定”是不是更准确呢?**

关于“自由贸易”到底是什么的讨论持续了很长时间。从法律角度来看, “自由贸易”这个术语来自于关税与贸易总协定(GATT), 它是1947年形成的多边商品贸易协定, 现在已成为WTO的一部分。它的定义要求包含“实质上所有贸易”,

而没有规定具体百分比。在那时, 毫无例外的零关税协定被认为只是一种幻想。

**回 这次协定谈判的神秘赢家是瑞士农民, 因为他们不需要做出很大的让步。**

这是你的看法。但瑞士农民协会并不这么认为, 他们表示协定不会给农业带来较大的损害, 不过也没有给它带来很大的利益。在我看来, 他们低估了瑞士农产品在中国市场的潜力。时间会证明这一点。事实上, 协定为双方都提供了包括农产品在内的额外市场准入机会。

**回 对于瑞士银行和保险业有哪些益处呢?**

关于双方的银行、证券和保险业的问题都涵盖在服务贸易条款中。其中有关于金融规范和审批程序的信息与透明性原则, 有关于审慎监管措施的国民待遇原则。由于中国目前正在修缮银行法, 涉及具体活动的承诺的可能性有限。不过, 中国扩大了与某些证券服务相关的市场准入担保的范围。

**回 更为便捷的双方人员流动程序也会推动贸易。你们是否也就这一点进行了谈判呢, 比如简化签证要求等?**

签证政策拥有比贸易更为广泛的影响。因此, 在自由贸易协定中不能对一般签证政策进行有效地谈判。不过, 瑞中自由贸易协定中很重要的一部分是服务贸易的提供, 包括企业将员工转移到海外提供某些服务等。因此, 协定中包括为了执行自由贸易协定中列出的具体服务活动而提供透明和快捷的工作许可和签证审批程序等原则。

**回 协会对外商直接投资(FDI)有影响吗?**

自由贸易协定确实对FDI有积极的影响。统计分析显示, 与其他贸易伙伴相比, 在贸易和投资流方面, 瑞士与其自由贸易协定伙伴间双向的贸易往往更为紧密, 同时FDI也大幅提高。瑞士与包括中国在内的许多国家达成的投资保护协定进一步巩固了这一效应。

**回 如何判断这些积极的影响是自由贸易协定带来的呢? 它也可能有许多其他的原因。**

严格来说, 我们很难界定自由贸易协定的具体影响。不过, 实证发现也是事实。无论观察到的统计相关性反映的因果关系是否站得住脚, 但同样, 我们也很难相信这种相关性 with 自由贸易协定效应没有任何关系。

**回 协定的签订是否表示未来中国的假瑞士手表会变少呢?**

中国政府不断加大打击假冒和盗版的力度, 他们也意识到要做的事情还很多。自由贸易协定包括这些方面的条款以及有关合作。

**回 我们来谈一谈先发风险吧。如果说欧盟有一**



**Christian Etter**大使出生于1953年, 是联邦委员会贸易协定代表以及对外经济事务部特别对外经济服务部首脑。因此, 在与中国的自由贸易协定谈判中, 他担任瑞士代表团团长一职。与中国的自由贸易协定是他职业生涯中作为首席谈判官的第12个成功案例。**Etter**在WTO乌拉圭回合中掌握了贸易谈判的基本技能。他曾出任瑞士联邦经济事务秘书处(SECO)EFTA/自由贸易协定部首脑; 1996年至2000年, 他担任瑞士驻华盛顿大使馆金融、经济与贸易事务部外交大臣职务。他于1985年以经济学家的身份加入了当时的瑞士对外经济事务联邦办公室, 1991年至1996年, 他担任该办公室国际服务部主任的职务。

**天与中国达成了更为有利的自由贸易协定会怎么样? 我们还能重新谈判吗?**

先行者获得的利益更大! 另外, 由于预见到双方往往需要对协定进行共同审核和改进, 自由贸易协定也包括了一些审核和演变条款。

**回 自由贸易协定也提高了双边贸易中的法律安全。当瑞士企业在中国遇到问题时该怎么做?**

当瑞士企业在中国遇到困难时, 或是中国企业在瑞士遇到困难时, 都应该向东道国的主管机构澄清问题, 包括使用现有的司法或其他审查程序等, 也可以到大使馆和领事馆咨询。瑞士企业还可以向SECO咨询, 中国企业向MOFCOM咨询, 这两个机构被双方指定为自由贸易协定事宜联络点。中国和瑞士的联络点会通过互动交流的方式对问题进行调查和解决。此外, 协定还设立了政府间联合委员会, 处理两国政府提出的与自由贸易协定相关的问题。自由贸易协定的这些机构设置为双方主管当局推动合作创造了环境。

**回 下一步的谈判主要与哪些国家开展呢?**

包括与中国的协定在内, 目前瑞士已与28个国家和地区达成了自由贸易协定。现在正在进行的有与印度、印度尼西亚、越南和俄白哈关税同盟的自由贸易协定谈判。此外还有与泰国和马来西亚的谈判。





Source: Courtesy of Mr. Raition Stiner (图片来源: Raition Stiner)



Source: Courtesy of Mr. Raition Stiner (图片来源: Raition Stiner)



Source: Swiss Federal Archives (图片来源: 瑞士联邦档案馆)



Source: Swiss Federal Archives (图片来源: 瑞士联邦档案馆)

From Switzerland's early recognition of the PRC to the conclusion of a free trade agreement. A quick recall on history.

# A Relationship Rich in Milestones

## 中瑞关系发展回顾: 从瑞士最早承认新中国到达成自由贸易协定

The signing of the FTA is only the latest of a series of milestones in the history of bilateral relations between China and Switzerland - both politically and economically. Switzerland was amongst the first countries to accept the newly found PRC and to accept China's status as a market economy. The Bridge takes a look back at some of the highlights of 64 years of diplomatic links, with a special focus on a crucial 100 days following the foundation of the People's Republic of China in 1949.

Written by [swissinfo.ch](http://swissinfo.ch)

**1.** From left: Zhu De, Commander-in-Chief of the People's Liberation Army, Swiss Minister Clemente Rezzonico and Nie Rongzhen, Head of PLA General Staff Headquarters and Mayor of Beijing. **2.** Mr. Zhou Enlai, Prime Minister and Foreign Affairs Minister, and Mr. Clemente Rezzonico, Minister, presumably in 1950. Switzerland first opened a legation, which became an Embassy in 1957. **3.** National Day Celebrations 1955: From left: Chairman Mao Zedong and entourage waving at crowds in Beijing. **4.** Picture of a private journey of Fernand Bernoulli, Swiss Ambassador to China from 1954-1958. Shown in the photo is his wife and their translator.

**1.** 左起：中国人民解放军总司令朱德、瑞士部长 Clemente Rezzonico 和中国人民解放军总参谋部部长兼北京市市长聂荣臻。 **2.** 1950 年，中华人民共和国总理兼外交部长周恩来和瑞士部长 Clemente Rezzonico 合影。瑞士率先在中国成立了公使馆，后在 1957 年正式成为驻华大使馆。 **3.** 1955 年国庆节大典，毛泽东主席及其随从在天安门上向人群挥手。 **4.** 瑞士驻华大使 (1954-1958) Fernand Bernoulli 的私人图片。图中为他的妻子和他们当时的翻译。

On January 14th, 1950, the Swedish government sent a telegram to Zhou Enlai, China's premier and foreign minister, recognising the new state of China. Just three days later, Switzerland joined Sweden in announcing that it too recognised the newly founded PRC. Talks on diplomatic links began immediately, and on September 14th of the same year, China and Switzerland officially established a diplomatic relationship, exchanged envoys, and opened embassies in each other's capitals.

In January 1956 and April 1957, the two countries upgraded their diplomatic relations and exchanged ambassadors. Though China had been quickly recognised by the Soviet Union and the socialist states of Eastern Europe and the Balkans, Switzerland was among the first group of non-socialist European countries to establish diplomatic ties with the PRC.

### US led trade ban against China

The founding of the PRC was a serious setback for the USA's international strategy of suppression of the communist bloc. The USA therefore used NATO to politically isolate China, and attempted to minimise its international influence. The USA demanded that its allies grant the PRC no more recognition than

## Switzerland was among the first group of non-socialist European countries to establish diplomatic ties with the PRC

the US government did. And it blocked China's attempts to take a place in the United Nations.

Economically, the USA led a trade ban against China, and through the Coordinating Committee for Multilateral Export Controls (CoCom) applied complete trade sanctions to China before the PRC was even 30 days old. Because of American coercion, a startling 45 countries announced trade bans with China.

The USA continued to give military support to Chiang Kai-shek and interdicted the Taiwan Strait. It supported the South Korean government and opposition forces within South Vietnam, and encircled Beijing by signing treaties with Southeast Asian countries, Japan and Australia, and setting up 800 military bases around China, including the bases in Japan.



Shrugging off US pressure

The latest declassified records from the Chinese Foreign Ministry reveal that as early as June 1949, the USA had sent a telegram to the Swiss government warning specifically that "it would be highly inappropriate for you to recognise a communist government in Asia too soon." However, Switzerland held out against the sustained pressure from Washington, maintained its traditional policy of neutrality and autonomy in international affairs, and joined the group of nations which broke the American political blockade on China. Less than one hundred days after the founding of the PRC, Switzerland shrugged off American political pressure and recognised the young state.



Source: Private assets of Federal Councillor Markus Feldmann (1897-1958)  
(图片来源：联邦委员Markus Feldmann (1897-1958)的私人物品)

Swift talks on diplomatic relations

On January 17th, 1950, Max Petitpierre, chair of the Swiss Federal Council and foreign minister, sent a telegram to Chairman Mao stating, "Switzerland has decided to legally recognise the new China, and is prepared to establish diplomatic relations with your country." On February 6th, Petitpierre again cabled Zhou Enlai, saying that Switzerland had appointed Sven Stiner, the Swiss consul general in Hong Kong, a temporary charge d'affaires in China. On February 10th, Vice Foreign Minister Li Kenong cabled a response to Petitpierre, indicating that the Chinese government was ready to accept Stiner as the Swiss representative in discussions on establishing formal diplomatic ties, but that Switzerland must first end its diplomatic relationship with the Kuomintang (KMT).

Now that the two states had made clear their positions on establishing diplomatic relations, the Swiss were able to accelerate the process. Between May 26th and September 13th, 1950, Vice Foreign Minister Zhang Hanfu and the Swiss charge d'affaires held four rounds of talks on establishing diplomatic relations. The talks focused on two areas of the Swiss position: How would the Swiss handle existing KMT organisations in Switzerland? And how would the Swiss deal with assets in Switzerland belonging to the state of China but controlled by the KMT?

Very quickly, Switzerland developed responses to these questions. First, on the question of KMT organisations, Switzerland had in fact already broken off all relations with KMT organisations when it recognised the People's Republic of China. These organisations would automatically lose their legal status and recognition as representatives of a national government. On the issue of Chinese assets in Switzerland, given that Switzerland recognised the PRC as the only lawful government of China, all Chinese assets in Switzerland would now become the legal property of the Central People's Government of the PRC.

**The President of Switzerland Markus Feldmann (right) and Federal Councillor Max Petitpierre (left) after receipt of the letter of credence of the Chinese Ambassador to Switzerlandnand, Feng Hsuan. Undated picture taken in Berne.**

These responses satisfied the Chinese government, so on September 14th, the two countries issued a statement saying that they had established diplomatic relations. The first Swiss envoy to China was Clemente Rezzonico; China's envoy to Switzerland was Feng Xuan.

Switzerland was also host to China's first engagement with the international community, at the Geneva Conference in 1954. Once China began its reforms in the late 1970s, the Swiss watchmaker Rado etched its name into China's history books by becoming

the first foreign company to advertise in China. Schindler, a Swiss elevator and escalator company, was the first foreign company signing an industrial joint venture with China. And the first European insurance company licensed to operate in China was also Swiss. Switzerland was also one of the first group of countries to recognise China's market economy status. The conclusion of a free trade agreement with China in 2013, as the second European country after Iceland, marks the latest highlight of a relationship that is rich in milestones.

自由贸易协定的签署是中瑞两国双边关系——包括政治关系和经济关系——发展历史上众多里程碑中的一个。瑞士是最早承认新中国和中国市场经济地位的国家之一。《桥》回顾中瑞 64 年外交联系中的亮点，着重描述 1949 年新中国成立后的关键 100 天。

作者 swissinfo.ch

1950 年 1 月 14 日瑞典政府致电中国国务院总理兼外长周恩来表示承认新中国，仅隔三天，瑞士也宣布承认中华人民共和国。此后，中瑞展开建交谈判并于同年 9 月 14 日两国建立正式外交关系，互派公使并在对方首都设立使馆。

1956 年 1 月和 1957 年 4 月，中瑞将双边外交关系由原来的公使级升格为大使级，并互派大使。除了前苏联和东欧及巴尔干半岛的社会主义国家外，瑞士也是最早与中国建交的欧洲国家之一。

美国带头对华实施贸易禁运

新中国成立让美国当时实施遏制社会主义阵营的国际战略遭受严重挫折。因此，政治上，美通过北大西洋公约组织孤立新中国并试图削弱其国际影响力。外交方面，美要求其盟国承认新中国必须与其保持完全一致。此外，还阻挠中国重返联合国。

经济上，美国带头宣布对华实施贸易禁运并联合 15 个西方盟国通过巴黎统筹委员会向建国不足 30 天的新中国发起全面贸易制裁。在美国逼迫拉拢下竟然多达 45 个国家对华实施贸易禁运。

军事上，美国除了继续援助蒋介石封锁台湾海峡外，还扶持当时的南韩政府以及南越内部反对势力，同时通过与东南亚国家、日本、澳大利亚等签订条约建立起针对北京的军事

包围圈；其中在日本这样的军事基地就多达 800 余个。

顶着压力承认新中国

据中国外交部最新解密的档案显示，早在 1949 年 6 月美国就发出“贵国过早承认亚洲的一个共产党政权将很不适宜”的专电特别警告瑞士政府，但瑞方却多次顶住来自华盛顿的强大政治压力，秉承传统中立政策与国际事务中的自主立场，毅然加入突破美国铸就的对华封锁圈行列，并在新中国成立不足百天之际就顶着巨大压力承认 PRC。

中瑞建交谈判很顺畅

1950 年 1 月 17 日瑞士联邦政府主席兼外长马克斯·珀蒂皮埃尔 (Max Petitpierre) 专电毛泽东主席，“瑞士决定在法律上承认新中国并准备与贵国建交”。2 月 6 日，珀蒂埃尔又电告周恩来，瑞方已任命其驻香港 (HK) 领事译文·施提纳 (中文名) 为驻华临时代办 (Charge D'affaires)。2 月 10 日，李克农副外长电复珀蒂皮埃尔，在瑞士断绝与国民党关系之后准备接受译文·施提纳为两国建交谈判的瑞方代表。

基于中瑞两国政府在建交谈判问题上展示的各自明确立场，瑞士加快了与新中国建交步伐。从 1950 年 5 月 26 日至 9 月 13 日，章汉夫副外长同瑞方代表就建交问题举行过四

轮会谈并特别关注瑞方就以下两点立场：  
一、瑞方如何处置国民党留瑞机构问题；  
二、瑞方如何处置国民党留存瑞士且属于中国国家资产问题。

瑞方很快就上述两个问题作出回复：  
一，关于国民党政府留瑞机构问题。自瑞士承认 PRC 之日起，即在法律与事实上均已与 KMT 滞瑞机构断绝所有关系；这些机构也因此而自动丧失其地位与承认。

二，关于 KMT 滞留瑞士且属中国国家财产问题。瑞方表示，依据瑞士承认 PRC 为中国唯一合法政府之原则，KMT 滞留瑞士且属中国国家的财产理应由 PRC 中央人民政府合法继承。

基于中方对瑞方立场表示满意，故于当年 9 月 14 日两国同时发表建交公报。瑞士首任驻华公使为任佐立；新中国首任驻瑞士公使为冯铨。

瑞士是最早与中国建交的欧洲非社会主义国家之一。

瑞士不仅是最早与华建交的西方国家之一，而且新中国初登世界舞台也始于 1954 年的瑞士日内瓦会议。中国实行改革开放后，瑞士雷达表集团 (Rado Watch GA) 争先成为在华市场打出第一家广告的外商而被记入难忘的史册；来自瑞士的“迅达电梯” (Schindler) 是中国批准在华建立的首家中外合资企业；作为欧洲第一家获准在华开业的保险公司也来自瑞士。此外，瑞士还是第一批承认中国完全市场经济地位的国家之一。继冰岛之后，瑞士于 2013 年成为第二个与中国达成自由贸易协定的欧洲国家，是两国多年外交关系发展的崭新的里程碑。





# Positive Knock-on Effects

## 积极连锁效应

The positive spillover effects for the Swiss watch industry due to the FTA with China, and indeed for other exporting branches, go far beyond customs duties reductions, says Jean-Daniel Pasche, President of the the Swiss watch industry's leading trade association (FH).



**“An initial reduction of 18% of customs duties will apply when the agreement enters into force.”**



Concretely, the effects for the Swiss watch industry can be summed up as follows. It will be noted firstly that, overall and according to statistics published by the General Directorate of Customs, the balance of watch industry trade between the two countries is largely in Switzerland's favour, and has been for many years. In fact, Swiss watch exports to China totalled CHF 1.653 billion in 2012, while imports of the same type from China amounted to CHF 740 million.

In value terms, finished watches accounted for 98% of Swiss watch exports to China. Under the terms of the agreement, these will benefit either from the total removal of customs duties over a period of five to ten years, according to the type of product, or from a staggered 60% reduction over ten years. An initial reduction of 18% will apply when the agreement enters into force.

More precisely, three types of watches, namely automatic watches manufactured from precious metals and common metals, and quartz watches with non-digital displays, which alone account for 90% of the total value of exports, will benefit from this 60% reduction. In concrete terms, customs duties on these products will drop from the current level of between 11 and 12.5% to rates varying between 4.4 and 5% at the end of the adjustment period.

**“China is the Swiss watch industry's third largest customer.”**

Further measures to remove or reduce customs duties will apply to other watchmaking products such as alarm clocks, movements, exterior components, supplies, etc. Only watch bracelets manufactured from precious metals exported separately will see their 20% customs duty maintained on arrival in China. In 2012, these products accounted for less than 0.05% of Swiss exports by value.

The positive knock-on effects for the Swiss watch industry, and indeed for other exporting branches, are not limited to customs duties. The wide-ranging agreement also includes provisions to protect intellectual property rights and promote investment. It thus creates an additional institutional framework and places trade on a more secure legal footing. For the Swiss watch industry it means also, and above all, improved conditions for the protection of trademarks and indications of origin (Swiss made).

China, the Swiss watch industry's third largest customer, thus becomes the fifth Asian country to have signed such an agreement with Switzerland or EFTA, after Singapore, South Korea, Japan and Hong Kong.



瑞士钟表行业领先贸易协会 (FH) 会长 Jean-Daniel Pasche 认为, 与中国签署的自由贸易协定为瑞士手表业和其他出口机构带来的积极溢出效应远远不止于关税减免。

“具体来说, 对瑞士钟表业的影响总结如下。首先, 值得注意的是, 根据海关总局发表的统计数据, 总体来看, 两国间多年来的钟表贸易平衡大大的有利于瑞士。事实上, 2012年瑞士出口到中国的钟表总价值达16.53亿瑞士法郎, 而来自中国的同类型产品进口仅为7.4亿瑞士法郎。

从价值上看, 钟表成品占瑞士出口到中国钟表总值的98%。根据协定条款, 未来的贸易将受益于今后五到十年的关税全部免除, 或是针对某些产品类型在未来十年内60%的逐步减免。当协定正式执行时, 将实现18%的初步减免。

更准确的说, 包括由贵金属和普通金属制成的自动表以及非数字显示的石英手表在内的三种钟表类型将享受60%的关税减免, 而这三种商品已经占到总出口额的90%。具体来看, 在调整期内, 这些商品的关税将从目前的11%—12.5%降至4.4%—5%。

进一步减免关税的措施还适用于其他制表产品, 如闹钟、机芯、外部组件和耗材等。只有那些由贵金属制成的表带单独出口至中国时的关税将维持在20%的水平。2012年, 这些产品仅占瑞士出口额的0.05%。

自由贸易协定带给瑞士钟表业以及其他出口机构的积极连锁效应远远不止于关税减免。范围广泛的协定还包括保护知识产权和促进投资等条款。因此, 它创造了额外的体制框架, 在更为安全的法律基础上开展贸易活动。总而言之, 对于瑞士钟表业来说, 它意味着商标保护和原产地标示 (瑞士制造) 状况的改善。

中国是瑞士钟表业第三大客户, 是继新加坡、韩国、日本和香港等国家和地区后亚洲第五个与瑞士或欧洲自由贸易联盟 (EFTA) 签订自由贸易协定的国家。”





# Ready for the Renminbi

## 已向人民币张开双臂

Heinrich Siegmann, Head Asian Affairs of the Swiss Bankers Association welcomes the FTA and China's announcement to consider Switzerland as an offshore Yuan center.



**“With a share of 11% of GDP, the financial sector is Switzerland's largest business sector.”**



As the leading professional organization of the Swiss financial centre, representing around 300 institutional members, including 140 foreign banks, the Swiss Bankers Association (SBA) welcomes the Free Trade Agreement. The agreement will increase trade and investments and hence boost bilateral business relations. It will facilitate market access for goods and services and enhance legal security.

With a share of 11% of GDP, the financial sector is Switzerland's largest business sector (the banking sector accounts for almost 7% of GDP). Some restrictions to market access will persist due to regulatory carve-out provisions (common to such agreements). The FTA is expected to improve the business environment for securities trading, and make business rules and approval procedures more transparent. The FTA also provides for a bi-annual review of the services commitments.

The conclusion of the FTA was accompanied by an agreement between both governments to launch a financial dialogue. Prime Minister Li Keqiang welcomed closer financial cooperation when he visited Switzerland in May and recently at the summer World Economic Forum in Dalian, when he announced that the government will consider making Switzerland an offshore Yuan center.

The Swiss financial center has considerably expanded its Renminbi business, serving clients in China as well as clients in Switzerland and other locations around the world. Renminbi accounts with banks in Switzerland are available to private and corporate clients, and a rapidly growing number of products and



## “We highly welcome Chinese banks establishing a presence in Switzerland.”

services are available to commodity trade finance, private banking, and asset management clients. Swiss financial firms will continue to identify new business opportunities and to build a long-term and sustainable presence in China.

The Swiss Bankers Association would highly welcome Chinese banks establishing a presence in Switzerland and being authorized to provide Renminbi clearing through a branch in our country. We also support a CNY-CHF currency agreement (swap line) between the Swiss National Bank and the People's Bank of China. A swap line would assure liquidity, and RMB clearing through a bank in Switzerland would lower transaction cost. A swap line and RMB clearing would increase trust in transacting RMB via Swiss banks and Swiss infrastructure, and provide a strong signal to current and prospective clients in China, Switzerland, Europe and elsewhere. Such an arrangement would further establish the CNY as currency of choice for invoicing and settling trade, as unit of account, as store of value and, ultimately, foster its role as a global reserve currency. In train, it would strengthen trade and investments, and foster economic and political ties.



瑞士银行家协会亚洲区事务负责人许格玛 (Heinrich Siegmann) 对自由贸易协定及中国宣布考虑将人民币离岸中心设在瑞士表示欢迎。

“作为瑞士金融中心的领先专业组织，拥有约300名机构会员，其中140名为外资银行，瑞士银行家协会 (SBA) 十分欢迎自由贸易协定。协定将增加两国的贸易与投资，从而增强双边商务联系。它将推进商品和服务进入市场，提高法律安全。

金融业占瑞士GDP的11%，是瑞士最大的商业部门（银行业占GDP的7%左右）。由于受分拆上市条款的规范（在这类协定中很常见），某些市场准入限制仍将存在。自由贸易协定将有助于改善证券交易环境，使商业规定和审批程序更透明。

自由贸易协定达成的同时，两国政府还签订协议推出新一轮金融对话。国家总理李克强对与瑞士加强金融合作表示欢迎，他还宣布中国政府将考虑将人民币离岸中心设在瑞士。

瑞士金融中心大幅扩展了人民币业务，为来自中国以及瑞士本土和世界其他地区的客户提供服务。个人和公司客户均可以在瑞士银行开设人民币账户，满足大宗商品贸易融资、私人银行和资产管理客户所需的人民币产品和服务不断迅速增多。瑞士金融公司将继续寻找新的商业机会，在中国实现长期、可持续性的发展。

瑞士银行家协会十分欢迎中国的银行在瑞士设立分支，并授权其提供人民币清算服务。我们也十分赞同瑞士国家银行与中国人民银行间的人民币——瑞士法郎货币协议（互换额度）。它将保证流动性，在瑞士的银行对人民币清算将有助于降低交易成本。互换额度和人民币清算将提高人们对人民币通过瑞士银行与瑞士设施进行交易的信任度，并将进一步确立人民币作为开具发票和贸易结算货币，以及作为记账单位和价值储藏货币的地位，最终，人民币势必成为全球储备货币。同时，它还将加强贸易与投资，促进经济与政治联系。”





# Big Market Hurdles Remain

## 市场阻碍仍然较大

Markus Ritter, President of the powerful Swiss Farmer's Union, sees the interests of the Swiss agriculture sector largely incorporated in the FTA with China, and points out the differences of the failed agreement with the US in 2006. Aside from some niche products in the premium segment, Ritter only sees a modest potential for Swiss farmers to succeed in China.



**"As opposed to the US, China respected certain Swiss principles."**



Swiss agriculture supports the signed Free Trade Agreement, as it respects agriculture's key requirements while opening up new possibilities for the Swiss economy. This bilateral agreement demonstrates that it is possible for Switzerland to find a satisfactory solution for both sides that have significant economic power, while also enabling the interests of Swiss agriculture to be incorporated. We are aware that our country imports practically half of all the food it requires, which is why trading agreements are not necessarily a bad thing. Nevertheless, it is important for us that sensitive Swiss products that are produced according to very stringent legal requirements, continue to be protected by the tariff and quota system.

We were against a FTA with the US, at the time. There were, and still are significant systematic and ideological differences in the non-tariff area between Switzerland and the USA, as there are between the EU and the USA. For example, ideas about the rules in the areas of banking, pharmaceutical, food safety or intellectual property were so different that a harmonisation was impossible.

For the SBV, but also for Swiss consumers, it was important that our high standards in food quality - buzzwords "hormones in meat" and "GMO" (genetically modified organism) - just as declaration and indication of origin etc. should be maintained. That was not acceptable for the USA, as they were working towards harmonising with their system. China, on the other hand, respected these Swiss principles.



**"Switzerland imports half of its food. So trade agreements are not necessarily a bad thing."**

We have conducted many, in some cases, difficult discussions with the government and other business associations over the past two years. We have clearly communicated and defended our position right from the outset. The most important requirements were ultimately taken into account. No compromises for sensitive products, compromises only within the WTO quotas and products out of season, maintenance of the high requirements in food quality, declaration and indication of origin. We have been less successful with the long transition periods and the fact that the tariffs have only been partially reduced - although cheese, in particular, is interesting for producers in export.

Overall, export opportunities for farmers are relatively modest. Despite this, we see opportunities in the premium segment, for example, with Swiss cheese. The examples of Korea and Japan demonstrate that there is demand for it in Asia. However, significant practical hurdles as market entry, costly marketing and administration for import licences, remain.



瑞士强大的农民联合会总裁 Markus Ritter 认为，在与中国签署的自由贸易协定中充分考虑了瑞士农业部门的利益，他指出了其中与以失败告终的美国自由贸易协定的不同之处。除了高端市场的一些小众产品外，Ritter 认为瑞士农民在中国获得成功的机会适中。

“瑞士农业部门十分支持自由贸易协定，因为这关系到农业的关键要求，也为瑞士经济开启了新的机会。这一双边协定的签署显示，瑞士可以找到使经济实力很强的双方都满意的方案，同时也将瑞士农业的利益考虑进去。我们知道瑞士差不多一半的食品都靠进口，因此贸易协定并不是件坏事。

我们并不赞成与美国签署自由贸易协定。瑞士与美国间在非关税领域存在着较大的系统和观念分歧，欧盟也是如此。举例来说，双方在银行业、医药、食品安全和知识产权等领域的观念分歧如此之大，以至于无法达成妥协。

对于SBV以及瑞士消费者来说，保留在食品质量领域的高质量——对肉类中的激素和转基因生物的控制——和原产地声明与标示一样重要。但美国不接受这一点，因为他们的目的是调和自身系统。而中国却十分尊重瑞士的这些规则。

在过去两年里，我们就某些方面与政府和其他商业协会开展了多次讨论。我们从一开始就明确的表达和捍卫了我们的立场。最终，我们提出的最重要的要求受到了重视。在敏感型产品上不妥协，仅在WTO配额范围内妥协，保持对食品质量的高要求以及对原产地声明和标示的要求。生产者十分希望将奶酪等产品出口至中国，不过较长的过渡期以及关税仅得到部分减免对于我们来说有些不利。

总而言之，协定为农民带来的出口机会相对适中。尽管如此，我们在高端市场看到了机遇，如瑞士奶酪等。韩国和日本的例子证明亚洲对这些产品有需求。不过，在市场准入、高成本市场推广和进口许可证管理等方面的障碍仍然存在。





# Substantial Trade Increase

## 贸易往来将大幅增长

China is the most important Asian market for the Swiss electrical and mechanical engineering industries, united under Swissmem. From Ivo Zimmermann's perspective - he is a Member of the Executive Board at Swissmem - the FTA will also bring improvements in areas such as non-tariff trade barriers and the protection of intellectual property.



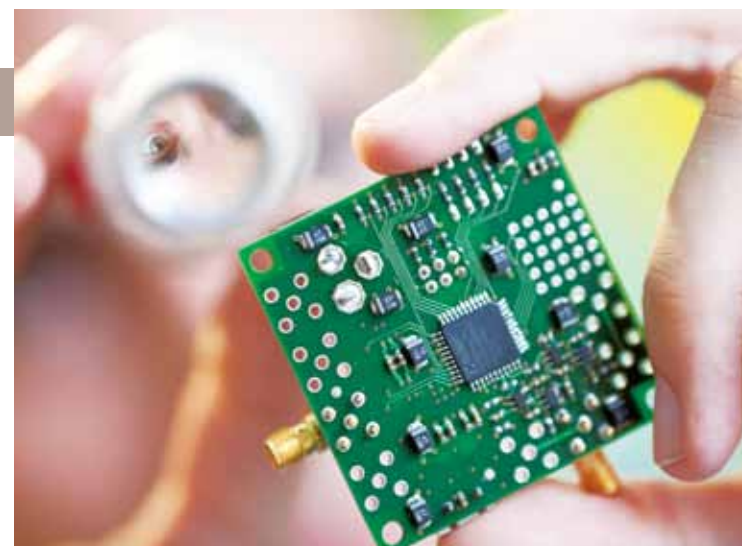
**“The competitive advantage should last, as no similar treaty between the EU and China is in sight.”**



The free trade agreement with China is definitely "good news" for the Swiss mechanical and electrical engineering industries (MEM industries). With an export volume of CHF 3.3 billion (2012), China is our most important Asian market. As a result, Swissmem expects a substantial increase in trade volumes with China.

Under the free trade agreement, 92% of MEM commodity codes will be duty-free when exported to China. This is significant since Chinese import duties for MEM products are high (9% on average). Tariffs will be reduced either from the date the free trade agreement enters into force, or after a transition period of five to ten years (in exceptional cases from 12 to 15 years). During this period, tariffs will be gradually reduced to zero. An additional three percent of MEM commodity codes will benefit from a tariff discount of 60%. But the free trade agreement with China is not just about cutting tariffs. It will also bring new, improved rules in areas such as non-tariff trade barriers and intellectual property protection.

We are convinced that Federal Councillor Schneider-Ammann did all he could to achieve the best possible result. For the most part, he succeeded. One remaining fly in the ointment is that, at least for



**“92% of MEM commodity codes will be duty-free when exported to China.”**

now, tariffs will not be reduced on five percent of all MEM products, mostly high-tech products.

The free trade agreement first has to be ratified by both parliaments before it enters into force. We hope that will take place no later than the start of 2015. Given the current high tariffs, the agreement will give Swiss exporters a clear advantage over their competitors from the EU area. This is especially the case for export-oriented SMEs that have no production presence of their own in China. And this advantage is likely to remain in place for several years since there is no prospect of a comparable agreement between the EU and China.



中国是联合在瑞士机械电子冶金协会管理下的瑞士电子与机械工程行业在亚洲最大的市场。在机械电子冶金协会执行委员会成员 Ivo Zimmermann 看来, 自由贸易协定也会带来非关税贸易壁垒和知识产权保护等方面的改善。



与中国签订的自由贸易协定对于瑞士机械与电子工程行业来说 (MEM行业) 肯定是个“好消息”。中国是我们亚洲最重要的市场, 2012年的出口总额达33亿瑞士法郎。因此, 瑞士机械电子冶金协会认为自由贸易协定的达成将进一步大幅提升瑞士与中国的贸易额。

按照自由贸易协定的规定, 92%的MEM商品类别出口至中国时将享受零关税。由于中国对MEM产品征收较高的关税 (平均9%), 因此这对于瑞士MEM行业来说是很大幅度的税收减免。关税减免或从自由贸易协定执行之日起开始, 或在五至十年 (某些商品的减免期限可达12至15年) 的过渡期里实现逐步减免。在此期间, 关税将逐渐降至零。另外, 还有额外3%的MEM商品类别将获得60%的关税折扣。不过, 与中国签订的自由贸易协定并不仅仅意味着关税减免, 它还将带来对非关税贸易壁垒和知识产权保护等方面的改进。

我们认为联邦委员施耐德-阿曼已经尽其所能取得了最好的谈判结果。总体来看, 他获得了成功。目前来看还存在的一个问题是, 仍有5%的MEM商品不能享受关税减免, 主要是高科技产品。

在正式执行自由贸易协定之前需要获得国会的批准, 我们希望从2015年初就可以正式执行该协定。按照目前的高关税水平, 协定将为瑞士出口商带来明显优于其他欧盟企业的竞争优势。对于那些在中国没有设立分支机构的出口导向型中小型企业来说尤其如此, 而且这一优势将会保持至少几年的时间, 因为从目前来看, 欧盟与中国还没有签署类似自由贸易协定的前景。





# Partnering For the Future

携手共创未来



A short appraisal of the Free Trade Agreement between Switzerland and the People's Republic of China and its key provisions, which shall give bilateral trade a boost.

Written by **Simeon Probst**, Director Customs, PwC Switzerland, **Michel Anliker**, Manager Customs, PwC Singapore

A bilateral Free Trade Agreement (FTA) between Switzerland and the People's Republic of China was signed on 6 July 2013. Switzerland is only the second European country (Iceland being the first) to formalize its economic and political relationship under a bilateral trade agreement with China. The FTA marks a milestone for the Swiss economy in its efforts to recalibrate following the global economic crisis, and is likely provide it with a competitive advantage over major European economies.

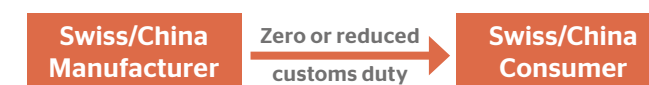
The agreement covers the standard terms found in most FTAs including Trade in Goods, Trade in Services, Customs Procedures, Trade remedies, Investment promotion and Intellectual Property Protection, and is expected to enter into force by mid-2014 or early 2015. Below is an introduction to the Trade in Goods terms and the potential impact that these terms may have on a business and its value chain.

## Trade in goods

In Asia, China is one of the most important foreign trade partners of Switzerland. China is the third largest buyer of Swiss industrial products after the EU and the United States worldwide. Machines and instruments, watches, as well as chemicals and pharmaceuticals, are the most important Swiss products to be exported to China. Switzerland imports mainly machinery, textiles and clothing, as well as watchmaker goods and chemical products from China.

## What is it about?

The Trade in Goods section of the FTA includes rules and regulations to facilitate trade between the undersigned parties. The FTA will reduce or eliminate duties in the trade of goods between the two countries. Goods fully obtained or processed in one of these countries may benefit from this duty relief. With the entry into force of the FTA, certain products will enjoy a 0% duty rate - whilst for others, phased tariff reductions will take place over several years (mainly on products imported to China). The products must have origin in one of the contracting countries in order to benefit from the preferential duty rates. Many companies assume that the existence of an FTA between the two countries is sufficient to eliminate the duty for their shipments. This assumption is wrong and could lead to significant risks. Since the country of import will forgo the duty revenue, the application of the qualifying rules will be strictly applied by the Customs Authorities of both Switzerland and China. The exporter wishing to apply for a certificate of origin under the FTA will need to ensure that it has sufficient processes and documentation to ensure that goods for which preference is claimed by the importer do, in fact, qualify.



## What are the key provisions of the FTA?

Find below an overview of the key provisions.

### Rules of origin - originating products:

Under the Swiss - China FTA, a product will be considered as originating in either of the two territories (Parties) where the following rules (summarized for the purposes of this article) are met:

1. The products have been wholly obtained in a Party (for example, mineral products, live animals, etc.).
2. Non-originating materials used in the working or processing of product, for which origin is claimed, have undergone substantial transformation in a Party and meet the other applicable provisions of the FTA (see below).
3. The product has been exclusively made from originating materials of one or both Parties.

### Substantial transformation:

Substantial transformation and operations must go beyond minimal operations or processes (such as simple mixing, packaging and re-packaging). With that said, the Product (HS code) Specific Rules of the FTA have to be fulfilled (Annex II of the FTA). Pure trading does not confer origin. The Product Specific Rules do include a value threshold (see below), a tariff shift rule (e.g. change in chapter, change in heading or change in subheading) and defines which products have to be wholly obtained.

### Added value threshold:

The added value threshold or General Tolerance Rule is a product specific rule based on the percentage of the value of non-originating materials (VNM). That percentage is calculated based on the following formula:  $VNM = \frac{VNM}{\text{off ex-works price}} \times 100$ . For example, if the product specific rules set "VNM 60%", the Rules of Origin are met if not more than 60% of non-originating materials are processed. E contrario, the local value content has to be at least 40%.

### Accumulation:

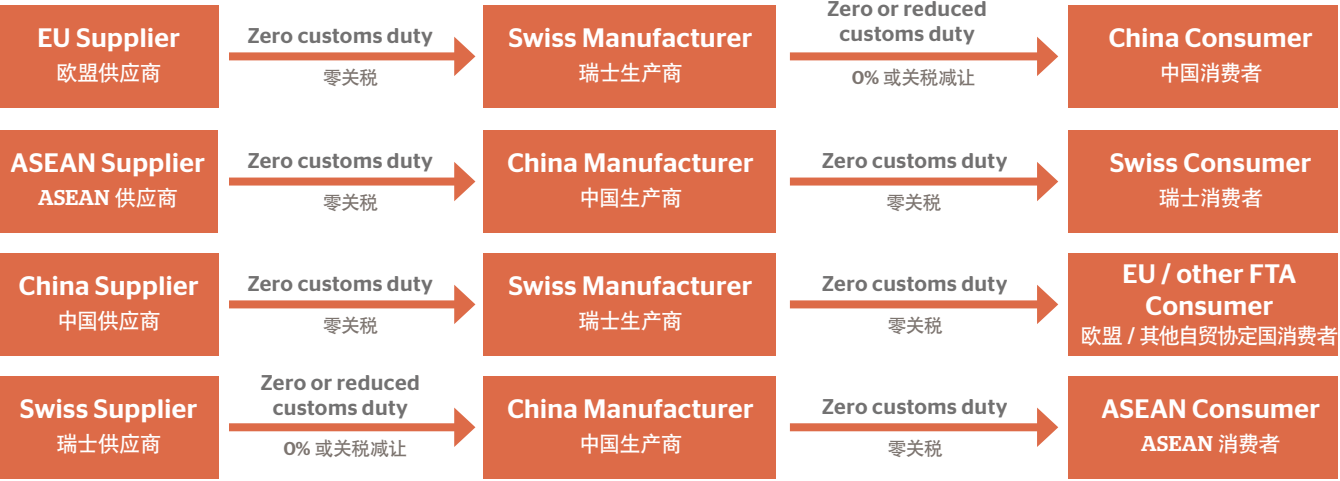
The accumulation rule within the FTA is limited to originating goods of Switzerland and China (so-called bilateral accumulation; it allows the manufacturer to add products sourced from both countries to the value threshold being qualified as originating).

### Direct transport:

The direct shipping/transport rule allows the splitting of consignments under customs control in third countries without losing origin provided that they do not undergo operations other than unloading, reloading, or any operation confined to preserve them in good condition (further processing of the goods is not permitted).



Examples of expanded trilateral trade 三边贸易扩张示范



Movement certificate:

The movement certificate EUR. 1 serves always as proof of origin and is mandatory (only exception allowed for approved exporter). Different to other FTAs concluded by Switzerland, additional information have to be indicated on the movement certificate, such as the used origin criteria and the 6-digit HS code of the product.

Self-certification:

Self-certification is only applicable for approved exporters. The origin declaration has to be printed in English and has to follow the wording provided in the FTA. The origin declaration has to contain the registration number of the approved exporter and the serial number of the origin declaration.

Benefits of the FTA - Business model planning

The FTA reduces or eliminates duties in the trade between Switzerland and China. Changing the value chain (e.g. sourcing or manufacturing) in order to meet the sufficient processing rules set out in the FTA may lead to significant duty savings and competitive advantages. Achieving “substantial transformation” at the appropriate point in the value chain is required in order to enjoy benefits under the Swiss-China FTA and manage tax risks. Certain value chains are likely to include suppliers from outside of China/Switzerland with final qualifying processing taking place inside China/Switzerland. Upfront planning, establishing sensitivity thresholds to allow for variances in cost, and tracking during production are all important so as to ensure that the FTA benefits are managed and sustainable also from a tax and operational standpoint.

Examples of expanded trilateral trade

Meeting the Rules of Origin within a three-party (or more) transaction can be challenging and complex. However this should not be a barrier to finding a solution to get the maximum benefit from a FTA. For example:

A semi-finished part of an electric motor/generator is supplied from Thailand (Member of ASEAN) to China at a preferential rate based on the ASEAN - China Free Trade Agreement. Within the Swiss-China FTA, the product specific rule for such products is usually that the value of non-originating materials must not exceed 50%. Provided the China manufacturer meets the Rules of Origin, the finished good can be imported at a preferential rate of 0% into Switzerland.

Whilst a business considers whether and how to change its business model to respond to the FTA, it should not be ignored that China imposes VAT on imports at an average rate of 17%. In addition, China applies an Export VAT refund scheme - which, depending on the product - may be between 17% and 0%. Foreign exchange controls must also be considered during business planning to ensure a smooth new structure.

The FTA is a useful tool to enhance economical activities between Switzerland and China. It should not be missed to question your current trade flows, to analyse potential available optimizations and fully benefit from the great opportunities the FTA will provide to both economies.

中瑞自由贸易协定简短评价及促进双边贸易往来的关键条款。

作者 **Simeon Probst**, 普华永道瑞士关税条例部总监, **Michel Anliker**, 普华永道新加坡关税条例部经理

2013年7月6日, 瑞士与中华人民共和国正式签署了双边自由贸易协定 (FTA)。瑞士是继冰岛之后第二个与中国通过双边自由贸易协定正式结成经济与政治关系的欧洲国家。在全球经济危机后, FTA标志着瑞士经济为重新调整而不断努力的重大里程碑, 将使其拥有其他欧洲国家所没有的竞争优势。

协定包括商品贸易、服务贸易、清关手续、贸易救济、投资促进和知识产权保护等在内的 FTA 标准条款, 协定将于2014年中期或2015年初开始实施。以下是关于商品贸易条款的介绍以及这些条款将对企业及其价值链带来的潜在影响。

商品贸易

中国是仅次于美国的世界第二大经济体。在亚洲, 中国是瑞士最重要的外贸伙伴之一; 而在世界范围内, 中国是继欧盟和美国之后的第三大瑞士工业品进口国。机械、设备、手表以及化工和医药产品是瑞士出口至中国最主要的产品; 瑞士主要从中国进口机械、纺织品、服装以及制表产品和化工产品等。

FTA意味着什么?

FTA中的商品贸易部分包括促进签署双方贸易往来的规章制度。FTA将减免两国间的商品贸易关税。完全从双方中的某一方获得或加工的商品将受益于关税豁免。随着FTA的实施, 某些产品将可以享受0%的税率, 其他产品 (主要是进口至中国的产品) 将在几年内实现分阶段关税减让。为了享受优惠的关税税率, 产品的原产地必须是协定订立国之一。

许多企业认为两国间FTA的存在将足以减免其商品所承担的关税, 这种看法是错误的, 而且可能导致重大的风险。由于进口国将放弃关税收入, 因此瑞士和中国的海关机构都将严格执行相应的规定。希望申请FTA原产地证书的出口商必须确保流程和文件的完整性以保证进口商享受关税优惠的商品确实符合相关的要求。



瑞中FTA的关键条款有哪些?

以下是对关键条款的总体概览。

**原产地规则——原产品:** 根据瑞士—中国 FTA, 满足以下规则 (根据本文的要求进行归纳总结) 的情况下, 产品可视为源自于两国领土 (“双方”) 中的任一方:

1. 产品完全在某一方获得 (如矿产品、活畜等)。
2. 在某一方对非该方原产材料 (须标清原产地) 进行实质性改变后满足其他相关 FTA 规定的产品 (见下文)。
3. 产品完全由一方或双方原产的材料制成。

**实质性改变:** 实质性改变和加工必须在微小处理或加工之外 (如简单的混合、包装或再包装)。也就是说, 必须满足 FTA 的产品 (HS 编码) 特定原产地规则 (FTA 附录 II)。不授予纯贸易产品原产地证书。产品特定原产地规则包括价值界限、关税转移原则 (如在章节、标题、副标题上的改变), 并界定了哪些产品必须是完全在某一方获得的。

**增值界限:** 增值界限或一般性规则是一项基于非原产材料价值 (VNM) 百分比的产品特定原产地规则。百分比根据以下公式计算:  $VNM = VNM / \text{出厂价格} \times 100$ 。例如, 如果产品特定原产地规则设定 “VNM 60%”, 如果产品中加工的非原产材料低于 60%, 那么该项产品就符合原产地规则。也就是说, 本土材料的价值必须不低于 40%。

**累积:** FTA 的累积规则仅适用于原产于瑞士和中国的商品 (也称为双边累积; 该规则允许生产商将采购自两国的产品价值累计, 以达到原产地的价值界限)。

**直接运输:** 直接运输规则允许在海关控制的情况下, 在第三国对运送的货物进行分装, 同时不丧失原产地证书, 前提是商品不经过除卸货、再装货或任何对商品进行良好保存的操作以外的操作 (不允许对商品进行进一步加工)。

**移动声明:** 移动声明 EUR. 1 起着证明原产地的作用, 要求必须提供 (除获得批准的出口商外)。这与瑞士与其他国家达成的 FTA 不同的是, 在移动声明上需要提供额外的信息, 例如所使用的原产地标准和产品的 6 位 HS 编码等。

**自我认证:** 只有经由批准的出口商才适用自我认证。原产地声明必须用英语打印出来, 并使用 FTA 提供的相关术语。原产地声明中应包括出口商的注册号码和原产地声明的序列编码。

FTA带来的益处——商业模式规划

FTA 减免瑞士和中国间的贸易关税。改变产品的价值链 (如采购或制造) 以满足 FTA 相关的加工规则可以大幅降低关税, 提高产品竞争优势。为了享受中瑞 FTA 所带来的利益和降低税收风险, 产品必须达到 “实质性改变” 的相应价值链要求。某些价值链可能包括中国/瑞士之外的供应商, 但最终符合条件的加工在中国/瑞士进行。预先的规划、建立敏感界限以允许成本变动和追踪生产过程, 无论对于确保管理可持续性的 FTA 利益, 还是从税收和运营的角度来看都是极其重要的。

三边贸易扩张示范

满足三方 (或多方) 原产地规则是具有挑战性和复杂性的。不过, 这并不意味着我们找不到将 FTA 利益最大化的解决方案。

例如: 某一发电机半成品由泰国 (ASEAN 成员) 根据 ASEAN——中国自由贸易协定的相关规定以优惠的税率供往中国。根据瑞中 FTA, 产品具体规定中对这种产品的非原产材料价值规定不得超过 50%, 如果中国生产商满足原产地规则的话, 那么该成品可以以 0% 的优惠税率进口至瑞士。

当企业在考虑是否有必要以及如何改变其经营模式来适应 FTA 时, 不容忽视的一点是中国平均征收 17% 的进口增值税。此外, 中国根据产品种类的不同对企业采用 17%—0% 的出口增值税退税方案。在进行商业规划时, 企业还需考虑外汇管制的问题以确保新模式的顺利运行。

FTA 是促进瑞中经济交流活动的重要工具。双方不应错过对现有的贸易流进行检查、分析潜在的可行性优化方案和完全获益于 FTA 带给双方经济的巨大机会的良机。



Will the FTA also influence exchange in innovation?

# Looking Beyond Trade

## 自贸区仅提供经贸层面的交流吗?

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During his last stay in Switzerland, Chinese Prime Minister Li Keqiang also visited the Einstein Museum in Berne, where he picked up a pen and wrote in the guest book, 'Innovation is the lifeblood of mankind'.

It seems a rhetorical sentence written by a consumed politician, but behind that sentence, there is much more. During the same visit, Li Keqiang answered some questions from the public. A Swiss university student asked Li Keqiang if he still has time to study. Chinese Premier Li Keqiang answered with a smile: "No matter how busy, one should take time to read. Without reading, it is difficult to have the development of thoughts; it is difficult to understand the process of human civilization".

These two simple moments, on the wave of the enthusiasm for the conclusion of the FTA, express very well the sentiments of Chinese people towards such an agreement. The agreement formally covers economic trade, but it also carries the potential for enhancing an exchange of intellectual, social, science and education projects. Without cooperation in science, there is no progress for the world. If

there is progress in scientific results, there is progress in technological achievement; and if we are capable, with innovation, we can transform ideas in market results and successes.

### FTA as door opener

So innovation is, indeed, the lifeblood of mankind, and the FTA is a way to open the door to the sharing of the results of learning and innovation. The two countries will engage into a vast dialogue about their innovation policies, learn from each other about areas where technology can be developed, and identify complementary capabilities. Tech start-ups might benefit from an easier access to funding sources and to some of the purchasers of their products, such as universities.

We at swissnex China are convinced that the FTA will boost the already healthy scientific and educational cooperation between our two countries. A side effect of the increased trade might be the need to train more executives and entrepreneurs about cross border transactions and international business. Swiss companies might want to also develop new training schemes inspired by their long experience with vocational and professional education training.

Already, since the opening of swissnex China in 2008, the exchange of scholars, students, and researchers has increased tremendously, but the FTA will further boost it. The FTA is not only a tool to make life simpler for enterprises to trade, but on the contrary, quite a few enterprises in both countries will face a stronger competition. This, in turn, is an incentive to become better or, in other words, to innovate in order to live and prosper. How to cooperate in the innovation process while remaining competitive will be the game to play and to understand in the follow-up of the FTA.



### Current program

#### CTI - China Market Entry CAMP

Since August 2013, Swiss start-ups are not alone when exploring the Chinese Market. swissnexChina together with CTI helps Swiss start-ups make their first steps by exploring and sharing expertise with experts in China. By organizing meetings and connecting the start-ups to their peers here, a platform has been created for innovative entrepreneurs to share and evaluate, and to gain insights first hand.

#### SSSTC Stepping Stone Symposia

The SSSTC program is a governmental framework between China and Switzerland, aiming to encourage and strengthen individual contacts by building multi-level research cooperation between institutions, research groups, as well as individuals. With events such as the Stepping Stone Symposia, the SSSTC would like to pave way for the involvement of industries in the second action phase from 2013-2016. These Symposia are envisioned to be a series of conferences participated in by the most outstanding scientists and relevant industries.

[www.steppingstone.ethz.ch](http://www.steppingstone.ethz.ch)  
[www.swissnexchina.org](http://www.swissnexchina.org)



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中国国务院总理李克强日前访问了伯尔尼, 双方签署了结束中瑞自贸协定谈判的谅解备忘录。临近伯尔尼爱因斯坦博物馆之行结束之际, 李克强拿起了一支笔, 在来宾留名簿上写道“创新是人类活力的源泉”。看上去仿佛是一个沉迷于游览之行的政治家作的豪言壮语, 但是其实这句话背后未尽之言多矣。同在此行中, 李克强回答了一些公众的问题, 一所瑞士大学的学生问其是否还有时间学习。李克强总理微笑着回答说: “无论工作多忙, 都要抽出时间读书。如果不读书, 就难以有思想火花闪烁, 也难以了解人类文明进程。”处于中瑞自贸协定气氛最浓郁的这两个时刻, 表达出了中国人民对此协定的强烈感情。该协定本身惠及经贸活动, 其实也为学术、社会、科技与教育交流增进了可能性。科学合作带来世界进步, 科学合作带来技术进步, 如果我们能够具备创新想法, 我们就能在市场中实现想法, 并使之成功。“创新是人类活力的源泉”和自贸区这两点开启了创新成果交流的大门。两个国家将在创新政策上进行广泛的对话, 互相学习如何在一个地区发展技术并认清对新解决方案的额外需求。技术起步将受益于筹资的容易度, 并让技术的购买者获益, 比如大学。

我们瑞士科技与文化中心 (swissnex China) 相信自贸区将进一步推动已经稳健发展的两国科教合作。贸易增多带来的另一个作用是需要训练更多的企业主管和企业家来处理跨国的交易以及国际业务。基于长期职业和专业教育培训的考量, 瑞士公司或许也想要构建新的培训机制。

从2008年瑞士科技与文化中心 (swissnex China) 正式运作起, 学者、学术、研究者的交流就飞速增长了起来, 而自贸区对我们来说将如虎添翼。自贸区一方面让企业的贸易简化, 然而从另一方面考虑, 两国的不少企业将面临更强劲的挑战。这会激励企业让自己变得更好, 换言之, 让企业推进创新以生存并繁荣起来。如何在竞争的同时于创新进程中谋求合作, 将会是企业接下去在自贸区需要进行并理解的一场博弈——瑞士科技与文化中心 (swissnex China) 将一直协助并持续促发两国的合作进程。

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