

Switzerland

A. Progress in the implementation of the minimum standard

Switzerland has 108 tax agreements in force as reported in its response to the Peer Review questionnaire. Twenty of those agreements comply with the minimum standard.

Switzerland signed the MLI in 2017 and deposited its instrument of ratification on 29 August 2019. The MLI entered into force for Switzerland on 1 December 2019. The agreements modified by the MLI come into compliance with the minimum standard once the provisions of the MLI take effect. Switzerland has listed twelve of its agreements under the MLI and indicated in its response to the Peer Review questionnaire that it would only list an agreement under the MLI if it agrees with its treaty partner on how the MLI modifies their agreement. Switzerland considers that the MLI amends a covered tax agreement like an amending protocol. An agreement with the other contracting jurisdiction on the precise wording of the amendments to the corresponding tax agreement through the MLI is therefore a requirement for Switzerland to include a tax agreement under the MLI.

Switzerland reserved the right to delay the entry into effect of the provisions of the MLI until Switzerland has completed its internal procedures for this purpose with respect to each of its listed agreements.¹⁵¹ Switzerland notified that it completed its internal procedures for the entry into effect of the MLI with respect to its agreements with Luxembourg on 27 May 2020 and with respect to its agreements with the Czech Republic and Lithuania on 18 December 2020.

Switzerland has not listed its agreements with Albania, Antigua and Barbuda, Armenia, Australia, Barbados, Belarus, Belgium, Belize, British Virgin Islands, Bulgaria, Canada, China (People's Republic of), Colombia, Côte d'Ivoire, Croatia, Denmark, Dominica, Egypt, Estonia, Finland, France, Georgia, Germany, Greece, Grenada, Hong Kong (China), Hungary, India, Indonesia, Israel, Jamaica, Japan, Kazakhstan, Korea, Liechtenstein, Malaysia, Malta, Mongolia, Montenegro, Montserrat, Morocco, North Macedonia, Oman, Pakistan, Peru, Poland, Qatar, Romania, Russia, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Serbia, Singapore, Slovak Republic, Slovenia, Spain, Sri Lanka, Thailand, Tunisia, United Arab Emirates, Uruguay and Viet Nam. These agreements will therefore not, at this stage, be modified under the MLI. Albania, Armenia, Australia, Barbados, Belize, China (People's Republic of), Colombia, Croatia, Egypt, Finland, France, Greece, Hong Kong (China), Hungary, India, Indonesia, Jamaica, Kazakhstan, Malaysia, Morocco, Oman, Pakistan, Peru, Poland, Romania, Serbia, Singapore, Slovak Republic, Slovenia, Spain, Tunisia, United Arab Emirates and Uruguay have listed their agreement with Switzerland under the MLI.

Switzerland has signed a bilateral complying instrument with respect to its agreements with Armenia, Iran*, Japan, Kuwait* and North Macedonia.

Switzerland indicated in its response to the Peer Review questionnaire that steps have been taken (other than under the MLI) to implement the minimum standard in its agreements with Albania, Algeria*, Australia, Austria, Bangladesh*, Belarus, Belgium, Bulgaria, Canada, China (People's Republic of), Colombia, Côte d'Ivoire, Croatia, Denmark, Egypt, Estonia, Finland, France, Georgia, Germany, Greece, Hong Kong (China), Hungary, India, Indonesia, Israel, Jamaica, Kazakhstan, Kyrgyzstan*, Malaysia, Mongolia, Montenegro, Morocco, Oman, Pakistan, Peru, Philippines*, Poland, Qatar, Romania, Russia, Serbia, Singapore, the Slovak Republic, Slovenia, Spain, Sri Lanka, Tajikistan*, Thailand, Trinidad and Tobago, Tunisia, the United Arab Emirates, the United States, Uruguay and Viet Nam.

¹⁵¹ The reservation was made under Article 35(7)(a) of the MLI.

Switzerland further indicated in its response to the Peer Review questionnaire that the agreements with Antigua and Barbuda, Azerbaijan*, Barbados, Belize, British Virgin Islands, Chinese Taipei*, Dominica, Ecuador*, Gambia*, Ghana*, Grenada, Malawi*, Moldova*, Montserrat, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Turkmenistan*, Uzbekistan* and Venezuela* do not give rise to material treaty-shopping concerns for Switzerland.

Switzerland is implementing the minimum standard through the inclusion of the preamble statement and the PPT.¹⁵²

In their responses to the Peer Review Questionnaire, Saint Kitts and Nevis, Saint Lucia and Saint Vincent and the Grenadines indicated that their agreements with Switzerland did not give rise to material treaty shopping concerns for their respective jurisdictions.

B. Conclusion

Albania, Australia, Barbados, Belize, China (People's Republic of), Colombia, Croatia, Egypt, Finland, France, Greece, Hong Kong (China), Hungary, India, Indonesia, Kazakhstan, Malaysia, Morocco, Oman, Pakistan, Peru, Poland, Romania, Serbia, Singapore, Slovak Republic, Slovenia, Spain, Tunisia, United Arab Emirates and Uruguay have listed their agreements with Switzerland under the MLI, which amount to requests to implement the minimum standard.

Switzerland is encouraged to complete and notify its internal procedures for the entry into effect of the MLI with respect to its agreements that are covered tax agreements under the MLI and for which no such notification has yet been made.

Summary of the jurisdiction response - Switzerland

	1. Treaty partners	2. Compliance with the standard	3. Signature of a complying instrument	4. Minimum standard provision used
1	Albania	No	No	PPT
2	Algeria*	No	No	PPT
3	Argentina	No	Yes MLI	PPT
4	Armenia	No	Yes other	PPT
5	Australia	No	No	PPT
6	Austria	No	Yes MLI	PPT
7	Bahrain	Yes other		PPT
8	Bangladesh*	No	No	PPT
9	Belarus	No	No	PPT
10	Belgium	No	No	PPT
11	Brazil	Yes other		PPT
12	Bulgaria	No	No	PPT
13	Canada	No	No	PPT
14	Chile	No	Yes MLI	PPT
15	China (People's Republic of)	No	No	PPT
16	Colombia	No	No	PPT
17	Côte d'Ivoire	No	No	PPT
18	Croatia	No	No	PPT
19	Cyprus*	Yes other		PPT

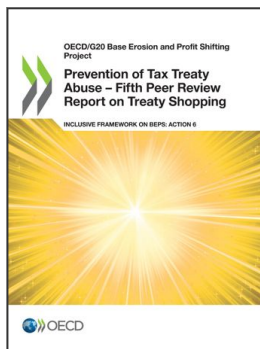
¹⁵² For its agreements listed under the MLI, Switzerland is implementing the preamble statement (Article 6 of the MLI) and the PPT (Article 7 of the MLI).

20	Czech Republic	Yes MLI		PPT
21	Denmark	No	No	PPT
22	Egypt	No	No	PPT
23	Estonia	No	No	PPT
24	Finland	No	No	PPT
25	France	No	No	PPT
26	Georgia	No	No	PPT
27	Germany	No	No	PPT
28	Greece	No	No	PPT
29	Hong Kong (China)	No	No	PPT
30	Hungary	No	No	PPT
31	Iceland	No	Yes MLI	PPT
32	India	No	No	PPT
33	Indonesia	No	No	PPT
34	Iran*	No	Yes other	PPT
35	Ireland	Yes other		PPT
36	Israel	No	No	PPT
37	Italy	No	Yes MLI	PPT
38	Jamaica	No	No	PPT
39	Japan	No	Yes other	PPT+LOB
40	Kazakhstan	No	No	PPT
41	Korea	Yes other		PPT
42	Kosovo*	Yes other		PPT
43	Kuwait*	No	Yes other	PPT
44	Kyrgyzstan*	No	No	PPT
45	Latvia	Yes other		PPT
46	Liechtenstein	Yes other		PPT
47	Lithuania	Yes MLI		PPT
48	Luxembourg	Yes MLI		PPT
49	Malaysia	No	No	PPT
50	Malta	Yes other		PPT
51	Mexico	No	Yes MLI	PPT
52	Mongolia	No	No	PPT
53	Montenegro	No	No	PPT
54	Morocco	No	No	PPT
55	Netherlands	Yes other		PPT
56	New Zealand	Yes other		PPT
57	North Macedonia	No	Yes other	PPT
58	Norway	Yes other		PPT
59	Oman	No	No	PPT
60	Pakistan	No	No	PPT
61	Peru	No	No	PPT
62	Philippines*	No	No	PPT
63	Poland	No	No	PPT
64	Portugal	No	Yes MLI	PPT
65	Qatar	No	No	PPT
66	Romania	No	No	PPT
67	Russia	No	No	PPT
68	Saudi Arabia	Yes other		PPT
69	Serbia	No	No	PPT
70	Singapore	No	No	PPT
71	Slovak Republic	No	No	PPT
72	Slovenia	No	No	PPT
73	South Africa	No	Yes MLI	PPT

74	Spain	No	No	PPT
75	Sri Lanka	No	No	PPT
76	Sweden	Yes other		PPT
77	Tajikistan*	No	No	PPT
78	Thailand	No	No	PPT
79	Trinidad and Tobago	No	No	PPT
80	Tunisia	No	No	PPT
81	Türkiye	No	Yes MLI	PPT
82	Ukraine	Yes other		PPT
83	United Arab Emirates	No	No	PPT
84	United Kingdom	Yes other		PPT
85	United States	No	No	D-LOB
86	Uruguay	No	No	PPT
87	Viet Nam	No	No	PPT
88	Zambia	Yes other		PPT

Other agreements

	1. Treaty partners	2. Inclusive Framework member
1	Antigua and Barbuda	Yes
2	Barbados	Yes
3	Belize	Yes
4	British Virgin Islands	Yes
5	Dominica	Yes
6	Gambia*	No
7	Grenada	Yes
8	Malawi*	No
9	Montserrat	Yes
10	Saint Kitts and Nevis	Yes
11	Saint Lucia	Yes
12	Saint Vincent and the Grenadines	Yes
13	Azerbaijan*	No
14	Chinese Taipei*	No
15	Ecuador*	No
16	Ghana*	No
17	Moldova*	No
18	Turkmenistan*	No
19	Uzbekistan*	No
20	Venezuela*	No



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