

**Embassy of India
Berne**

Advisory on Trade Dispute Resolution

This Mission has been facilitating the Indian companies in amicable resolution of their trade related disputes with companies based in Switzerland and Principality of Liechtenstein. However, Indian companies are advised to take due precaution while engaging in business transactions, particularly when dealing with new or unfamiliar companies.

2. Any situation arising due to the matter pertaining to trade disputes, the Indian company may send its complaint to this Mission's Commercial Wing at com.berne@mea.gov.in.

3. Upon receipt of a complaint, the Embassy acknowledges the receipt of the complaint and requests the Complainant to provide additional information required, if any.

4. After preliminary examination of the complaint, the Embassy takes up with the matter with the Swiss / Liechtenstein based company for obtaining explanation/feedback regarding the complaint. If a reasonable response is received, the same is communicated to the Indian Complainant. In case the matter remains unresolved despite Embassy's efforts, it requests the Complainant to consider pursuing the judicial process/litigation as per the local laws. At each stage the complainant is kept updated by the Embassy.

Useful Notes for Consideration:

A. Verify Company Registration and Records: Check the status of the Swiss company (registration records) on the **Central Business Name Index (ZEFIX)** (<https://www.zefix.ch/en/search/entity/welcome>) and **Registries of Commerce of Switzerland**, available at <https://www.zefix.ch/en/hra>. For Liechtenstein based company, visit **Official Commercial Register information of the Principality of Liechtenstein** at <https://www.handelsregister.li/cr-portal/suche/suche.xhtml>.

B. Arbitration Clause: In all business agreements an arbitration clause should be included, which would be fair to both parties. A suggested formulation is:

"Any dispute, controversy, or claim arising out of, or in relation to, this contract, including regarding the validity, invalidity, breach, or termination thereof, shall be resolved by arbitration (insert name of arbitration body/council) and the award made in pursuance thereof shall be binding on the parties".

C. Swiss Import Regulations: For export of any product from India, the Indian exporter must ensure that all the procedural formalities for Switzerland's rules and regulations are followed. For information on **regulations for importing various goods into Switzerland**, please visit <https://www.bazq.admin.ch/en/travel-shopping-private-import-into-switzerland>

D. Director General of Foreign trade (DGFT): In order to resolve trade disputes relating to international trade, Director General of Foreign trade (DGFT), has launched an online module for filing and tracking of trade complaints.

- The Indian and Foreign trade entities may file their complaints/disputes at www.dgft.gov.in >Services>File Quality>Trade Grievances>Fill online application form.
- The website link for the DGFT website for complaints is <https://www.dgft.gov.in/CP/?opt=quality-complaints>
