

## TREATY SERIES. 1915.

No. 3.

## CONVENTION

BETWEEN

THE UNITED KINGDOM AND  
SWITZERLAND

PROVIDING FOR

THE SETTLEMENT BY ARBITRATION  
OF CERTAIN CLASSES OF  
QUESTIONS WHICH MAY ARISE  
BETWEEN THE TWO GOVERNMENTS.

Signed at London, June 10, 1914.

*[Ratifications exchanged at London, February 3, 1915.]*

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*Presented to both Houses of Parliament by Command of His Majesty.*  
*March 1915.*

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LONDON:

PRINTED UNDER THE AUTHORITY OF HIS MAJESTY'S STATIONERY OFFICE  
BY HARRISON AND SONS, 45-47, ST. MARTIN'S LANE, W.C.,  
PRINTERS IN ORDINARY TO HIS MAJESTY.To be purchased either directly or through any Bookseller, from  
WYMAN AND SONS, LTD., 29, BREAMS BUILDINGS, FETTER LANE, E.C., and  
28, ARINGTON STREET, S.W., and 54, ST. MARY STREET, CARDIFF; or  
H.M. STATIONERY OFFICE (SCOTTISH BRANCH), 23, FORTH STREET, EDINBURGH; or  
E. PONSONBY, LTD., 116, GRAFTON STREET, DUBLIN;  
or from the Agencies in the British Colonies and Dependencies,  
the United States of America, the Continent of Europe and Abroad of  
T. FISHER UNWIN, LONDON, W.C.

1915.

[Cd. 7814.] Price  $\frac{1}{2}$ d.

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*Signed at London, June 10, 1914.*

*[Ratifications exchanged at London, February 3, 1915.]*

Arbitration Convention between Great Britain and Switzerland.      Convention d'Arbitrage entre la Grande-Bretagne et la Suisse.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the Federal Council of the Swiss Confederation, signatories of the Convention for the Pacific Settlement of International Disputes, concluded at The Hague on the 29th July, 1899;

Taking into consideration that by Article 19 of that Convention the High Contracting Parties have reserved to themselves the right of concluding agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment,

Have named as their Plenipotentiaries for this purpose :

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India : the Right

[65]

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des Territoires Britanniques au delà des Mers, Empereur des Indes, et le Conseil Fédéral de la Confédération Suisse, signataires de la Convention pour le Règlement pacifique des Conflits internationaux conclue à La Haye le 29 juillet 1899 ;

Considérant que, par l'Article 19 de cette Convention, les Hautes Parties contractantes se sont réservé de conclure des accords en vue du recours à l'arbitrage, dans tous les cas qu'elles jugeront possible de lui soumettre,

Ont nommé pour leurs Plénipotentiaires à cet effet, savoir :

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des Territoires Britanniques au delà des Mers, Empereur des Indes : le Très

B.

Honourable Sir Edward Grey, Baronet of the United Kingdom, Knight of the Most Noble Order of the Garter, Member of Parliament, His Majesty's Principal Secretary of State for Foreign Affairs; and

The Federal Council of the Swiss Confederation: Monsieur G. Carlin, Envoy Extraordinary and Minister Plenipotentiary of Switzerland in Great Britain;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed as follows:—

#### ARTICLE 1.

Differences which may arise of a legal nature, or relating to the interpretation of Treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two Contracting States, and do not concern the interests of third Parties.

#### ARTICLE 2.

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure.

[65]

Honorable Sir Edward Grey, Baronnet du Royaume - Uni, Chevalier du Très Noble Ordre de la Jarretière, Membre du Parlement, Principal Secrétaire d'État de Sa Majesté pour les Affaires Étrangères; et

Le Conseil Fédéral de la Confédération Suisse: Monsieur G. Carlin, Envoyé Extraordinaire et Ministre Plénipotentiaire de Suisse en Grande-Bretagne;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus de ce qui suit:

#### ARTICLE 1<sup>er</sup>.

Les différends d'ordre juridique ou relatifs à l'interprétation des Traités existant entre les deux Parties contractantes qui viendraient à se produire entre elles et qui n'auraient pu être réglés par la voie diplomatique, seront soumis à la Cour permanente d'Arbitrage établie par la Convention du 29 juillet 1899, à La Haye, à la condition toutefois qu'ils ne mettent en cause ni les intérêts vitaux ni l'indépendance ou l'honneur des deux États contractants et qu'ils ne touchent pas aux intérêts de tierces Puissances.

#### ARTICLE 2.

Dans chaque cas particulier, les Hautes Parties contractantes, avant de s'adresser à la Cour permanente d'Arbitrage, signeront un compromis spécial, déterminant nettement l'objet du litige, l'étendue des pouvoirs des arbitres et les délais à observer, en ce qui concerne la constitution du Tribunal arbitral et la procédure.

## ARTICLE 3.

The present Convention is concluded for a period of five years, dating from the 16th November, 1914, date of expiration of the renewed Agreement of the 16th November, 1904.

The present Convention shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention in duplicate, and have affixed thereto their seals.

Done at London, the 10th day of June, 1914.

(L.S.) E. GREY.  
(L.S.) CARLIN.

## ARTICLE 3.

La présente Convention est conclue pour une durée de cinq années, à partir du 16 novembre 1914, date de l'expiration de l'Arrangement prorogé du 16 novembre 1904.

La présente Convention sera ratifiée et les ratifications en seront échangées à Londres aussitôt que faire se pourra.

En foi de quoi les Plénipotentiaires respectifs ont signé la présente Convention en double exemplaire et y ont apposé leurs cachets.

Fait à Londres, le 10 juin 1914.

## ANNEX.

*The Swiss Minister to Sir Edward Grey.*

(Translation.)

*Légation de Suisse, Londres,  
le 15 novembre, 1914.*

M. le Secrétaire d'Etat,

LE 10 juin dernier, j'eus l'honneur de signer avec votre Excellence une Convention d'Arbitrage qui, selon son Article 3, devait entrer en vigueur le 16 novembre, 1914, date de l'expiration de l'Arrangement prorogé du 16 novembre, 1904, sur la même matière.

La ratification, de la part de la Suisse, de cette Convention n'a malheureusement pas pu avoir lieu en temps utile, les circonstances ayant amené la suppression de la session d'automne des Chambres fédérales.

*Swiss Legation, London,  
November 15, 1914.*

Sir,

ON the 10th June last I had the honour to sign an Arbitration Convention with your Excellency which, according to Article 3, should come into force on the 16th November, 1914, the date of expiration of the extended Agreement of the 16th November, 1904, on the same subject.

The Swiss ratification of this Convention has unfortunately not been completed within the required time owing to the suppression of the autumn session of the Federal Chambers.

Dans ces circonstances, j'ai, sur l'ordre de mon Gouvernement, qui tient à ce qu'il n'y ait pas absence d'une entente d'arbitrage entre nos deux pays, l'honneur de venir proposer à votre Excellence de prolonger l'effet de l'Arrangement du 16 novembre, 1904, jusqu'au moment de l'échange des instruments de ratification de la nouvelle Convention du 10 juin, 1914.

Mon Gouvernement estime qu'à titre exceptionnel cette prolongation pourrait se faire par simple échange de notes et, si vous partagez cette manière de voir, je serais heureux d'en recevoir la confirmation de la part de votre Excellence. Cette confirmation rendrait l'échange de notes parfaite et, de ce fait, l'Arrangement du 16 novembre, 1904, serait considéré comme restant en vigueur jusqu'à l'échange des instruments de ratification de la Convention du 10 juin, 1914, échange qui aurait lieu, il va sans dire, aussitôt que mon Gouvernement sera à même d'y procéder.

Dans l'attente de la communication de l'accueil que la présente proposition aura trouvée auprès du Gouvernement de Sa Majesté britannique, je vous prie d'agréer, &c.

CARLIN.

In these circumstances, in accordance with the instructions of my Government, who desire that there may be no break in the arbitration arrangements between our two countries, I have the honour to propose to your Excellency to prolong the operation of the Agreement of the 16th November, 1904, until such time as the exchange of ratifications of the new Convention of the 10th June, 1914, shall be effected.

My Government consider that as an exceptional measure this prolongation might be effected by a simple exchange of notes, and, if you agree with this view, I shall be happy to receive confirmation thereof from your Excellency. This confirmation would complete the exchange of notes, and the Agreement of the 16th November, 1904, would thereby be regarded as remaining in force until the exchange of ratifications of the Convention of the 10th June, 1914, which will of course take place as soon as my Government is able to proceed thereto.

Awaiting the communication of the views of His Britannic Majesty's Government on this proposal, I have, &c.

CARLIN.

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*Sir Edward Grey to the Swiss Minister.*

Sir,

*Foreign Office, November 16, 1914.*

I HAVE the honour to acknowledge the receipt of your note of the 15th instant, in which you inform me that it has not yet been possible to complete the Swiss ratification of the Arbitration Convention between the United Kingdom and Switzerland, signed at London on the 10th June last, and that in consequence the Swiss Government propose that the Arbitration Agreement between the two countries of the 16th November, 1904, shall be prolonged until

such time as it may be possible to exchange the ratifications of the Convention of the 10th June, 1914.

I have the honour to accept, on behalf of His Majesty's Government, this proposal on the part of the Swiss Government, and the present exchange of notes between us is accordingly regarded by them as placing upon record the understanding arrived at between our respective Governments in the matter.

I have, &c.

E. GREY.

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