

N° 1907.

GRÈCE ET SUISSE

Convention d'établissement et de protection juridique, avec protocole final. Signés à Athènes, le 1^{er} décembre 1927.

**GREECE
AND SWITZERLAND**

Convention regarding Conditions of Residence and Legal Protection, with Final Protocol. Signed at Athens, December 1, 1927.

¹ TRADUCTION. — TRANSLATION.

No. 1907. — CONVENTION ² BETWEEN GREECE AND SWITZERLAND
REGARDING CONDITIONS OF RESIDENCE AND LEGAL PROTEC-
TION. SIGNED AT ATHENS, DECEMBER 1, 1927.

French official text communicated by the Swiss Federal Council. The registration of this Convention took place January 4, 1929.

THE SWISS FEDERAL COUNCIL and the PRESIDENT OF THE GREEK REPUBLIC, being desirous of encouraging relations between the two countries, have decided to conclude a convention regarding conditions of residence and legal protection and have appointed for this purpose as their respective Plenipotentiaries :

THE SWISS FEDERAL COUNCIL :

M. Eugène BROYE, acting Swiss Chargé d'Affaires at Athens ;

THE PRESIDENT OF THE GREEK REPUBLIC :

His Excellency M. André MICHALAKOPOULOS, Minister for Foreign Affairs ;

Who, being duly authorised to this effect, have agreed upon the following provisions :

Article 1.

Nationals of each of the Contracting Parties shall have the right to enter, move about and reside in the territory of the other Party within the limits laid down by the laws and regulations which govern the entry, movement and residence of all other foreigners.

With regard to any charges or taxes to which they are liable in respect of residence or establishment, the nationals of the two Parties shall enjoy most-favoured-nation treatment.

Article 2.

The nationals of either Contracting Party who are or may hereafter be permitted to reside or establish themselves in the territory of the other Party shall be treated in every respect on an equal footing with the nationals of the most favoured nation as regards the exercise of their trade or profession, the operation of commercial or industrial undertakings and lawful trade and commerce, provided that they comply with the laws and regulations in force. They shall not on this account have to pay or be subject to any taxes, duties or charges of any description whatever, other or higher than those to which the nationals of the most favoured nation are liable.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Athens, November 30, 1928

The above provisions shall not be applicable to itinerant trades, hawking and soliciting orders from persons who are not engaged in industry or commerce.

Article 3.

The nationals of each of the Contracting Parties shall have the right to possess movable and immovable property in the territory of the other Party, and to acquire such property by purchase, gift, inheritance, testamentary disposition or in any other manner, subject to the same conditions as those laid down for the nationals of any third State by the laws of the country in which the property is situated. They shall be entitled to dispose thereof on the same conditions as these latter. In none of the above-mentioned cases shall they be subject to any charges, taxes or duties of any description whatever other or higher than those which are or may hereafter be imposed upon nationals of the most favoured nation.

Nationals of each of the Contracting Parties, provided that they comply with the laws of the country, shall be entitled to export the proceeds of the sale of their property and goods in general, and shall not be liable in respect of such exportation to the payment of duties other or higher than those to which the nationals of the most favoured nation would be liable in such cases.

Article 4.

The nationals of each Contracting Party shall, provided they comply with the laws and regulations of the country, enjoy complete protection and security in respect of their persons and property. They shall have free access both as plaintiffs or defendants to all judicial or administrative courts, and in general shall in all matters concerning the administration of justice enjoy the same rights and privileges as the nationals of the most favoured nation. They shall in all cases be free to choose, for the protection of their interests, counsel or representatives duly authorised by the laws of the country.

Article 5.

Articles 17 to 22 of the Hague Convention concerning Civil Procedure¹ of July 17, 1905, shall be applied in Greece in favour of Switzerland and Swiss nationals and in Switzerland in favour of Greece and Greek nationals.

Article 6.

In no case shall domiciliary visits, searches, the examination or inspection of books, papers or the accounts of the persons concerned be made in the houses, shops, factories or any other premises occupied by the nationals of either Contracting Party residing in the territory of the other Party otherwise than under the conditions and in the manner laid down by the laws and regulations in force.

Article 7.

The property of nationals of each of the Contracting Parties shall not be expropriated in the territory of the other Party, nor shall such nationals be deprived of its use even temporarily, except for reasons of public utility or in the general interest and to the extent applicable in the same circumstances to nationals of the country. Any compensation to which they may be entitled on account of these measures shall be granted subject to the conditions provided for in the case of nationals.

¹ *British and Foreign State Papers*, Vol. 99, page 990.

Article 8.

Nationals of each of the Contracting Parties shall in time of peace and in time of war be exempt in the territory of the other Party from every form of military service and from any contribution in money or in kind in place of personal military service.

They shall be liable in time of peace and in time of war only to the military contributions and requisitions to which nationals of the most favoured nation are liable, and to the same extent and in accordance with the same principles. The compensation due on account of such measures shall be granted subject to the conditions provided for in such cases in respect of nationals of the country or of the most favoured nation.

Nationals of each of the Contracting Parties shall be exempt from any judicial or administrative functions.

Article 9.

Nationals of each of the Contracting Parties shall in no case be liable in the territory of the other Party to charges, duties, taxes or contributions of any kind whatever, other or higher than those which are or may hereafter be imposed on the nationals of the most favoured nation.

Article 10.

Should a national of one of the Contracting Parties die in the territory of the other Party without leaving known heirs or testamentary executors, the authorities of the place where the death occurred shall notify the diplomatic or consular representative of the country of origin in order that he may communicate the necessary information to the persons concerned.

The authorities competent in that respect at the place where the death occurred or where the property of the deceased is situated shall take all the conservatory measures provided for by the laws of the country in regard to the succession of nationals. They may have recourse to the diplomatic or consular agents of the State to which the deceased belonged with a view to forwarding to the heirs the communications prescribed by the law and handing over the proceeds of succession to the persons entitled thereto.

The succession of a national of one of the Contracting Parties who has died in the territory of the other Party shall be governed, as regards the question as to who are the legal heirs, what are their legal shares and to what extent they are entitled to the statutory portion, by the laws in force at the time of the death in the country of which the deceased was a national.

Article 11.

Commercial, industrial, agricultural or financial companies, including transport or insurance companies, which are regularly incorporated in conformity with the laws of one of the Contracting Parties and have their seat in its territory, shall be legally recognised in the other country, provided that they do not pursue an object which is either illicit or contrary to public morals, and, subject to their conforming with the formalities laid down for that purpose by the laws and regulations in force, they may extend their operations, acquire and exercise rights and pursue their economic activity. Subject to compliance with the laws and regulations of the country they shall have free and unhindered access to all judicial and administrative courts, either as plaintiffs or defendants.

The said companies shall in all respects enjoy the same treatment as is granted to like companies of the most favoured nation; in particular, they shall not be subject to any fiscal contributions or dues of any description or kind whatever, other or higher than those to which companies of the most favoured nation are liable.

Article 12.

Each of the Contracting Parties shall be entitled to appoint consuls-general, consuls, vice-consuls and consular agents, who shall reside in the towns and places of the other Party where the establishment of consular offices is permitted.

Consuls-general, consuls, vice-consuls, and consular agents must, in order to enter upon their duties, previously obtain the exequatur or similar warrant of admission from the country of their residence. The Government which has granted the exequatur or similar warrant shall be entitled to withdraw it, stating at the same time the grounds for this step.

The consular officers of the two countries shall enjoy the same rights, exemptions and immunities as those which are or may hereafter be granted to the consular officers of the same rank and the same category of the most favoured nation.

Article 13.

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

The Convention shall enter into force on the date of the exchange of the ratifications and shall remain in operation for one year. Unless denounced by one or other of the Contracting Parties at least six months before the expiration of the said period of one year, it shall remain in force until it is denounced, and such denunciation shall not take effect until after the expiration of six months.

In faith whereof the respective Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done in duplicate at Athens, December 1, 1927.

(L. S.) (*Signed*) Eugène BROYE.

(L. S.) (*Signed*) A. MICHALAKOPOULOS.

FINAL PROTOCOL.

On proceeding to sign the Convention regarding conditions of residence, concluded this day between Switzerland and Greece, the undersigned Plenipotentiaries have agreed that notwithstanding Article 1 of the said Convention, each of the Contracting Parties shall be entitled to make the admission of the nationals of the other Party conditional upon the presentation of a passport duly provided with a visa by its diplomatic or consular representatives, until such time as this question has been made the subject of a special agreement between them.

Done in duplicate at Athens, December 1, 1927.

(L. S.) (*Signed*) Eugène BROYE.

(L. S.) (*Signed*) A. MICHALAKOPOULOS.