

No. 911

**BELGIUM
and
SWITZERLAND**

Exchange of notes constituting an agreement for the abolition of passport requirements in relations between the two countries. Berne, 28 July 1950

Official text : French.

Registered by Belgium on 14 September 1950.

**BELGIQUE
et
SUISSE**

Echange de notes constituant un accord pour la suppression de l'obligation du passeport dans les relations entre les deux pays. Berne, 28 juillet 1950

Texte officiel français.

Enregistré par la Belgique le 14 septembre 1950.

TRANSLATION — TRADUCTION

No. 911. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN BELGIUM AND SWITZERLAND FOR THE ABOLITION OF PASSPORT REQUIREMENTS IN RELATIONS BETWEEN THE TWO COUNTRIES. BERNE, 28 JULY 1950

I

FEDERAL DEPARTMENT OF JUSTICE AND POLICE

B. 6/12/9

The Federal Department of Justice and Police has the honour to inform the Belgian Legation that the Swiss Government is prepared to conclude with the Belgian Government an agreement in the following terms :

I. Belgian nationals, whatever their country of residence, may enter or leave Switzerland by any frontier, provided that they are in possession of one of the following documents :

(a) a national passport, even if it has expired within the previous five years, provided that it was issued or renewed after 1 October 1944;

(b) a Belgian identity card the validity of which has not expired, which was issued, renewed or validated after 6 October 1944 and which bears a photograph of the holder;

(c) a registration card (*carte d'immatriculation*) bearing a photograph, issued after 1 October 1944 by a Belgian diplomatic or consular official;

(d) in the case of Belgian resident in Switzerland, a Swiss alien's registration book the validity of which has not expired and which bears a photograph.

II. Belgian children under the age of fifteen years who do not yet hold identity cards shall be authorized to enter and leave Switzerland by any frontier :

(a) if domiciled in Belgium, provided that they are in possession of a passport, even if it has expired within the previous five years, or of an identity certificate bearing a photograph, stating their complete identity and issued after 6 October 1944 by the communal administration of their place of domicile;

¹ Came into force on 10 August 1950, by the exchange and according to the terms of the said notes.

(b) if domiciled in Switzerland, provided that they are in possession of a passport, even if it has expired within the previous five years, or a registration certificate, bearing a photograph, issued by a Belgian diplomatic or consular official.

III. Belgian nationals wishing to extend their stay in Switzerland beyond a period of three months may be required to produce a valid national passport.

IV. Swiss nationals, whatever their country of residence, may enter and leave Belgium by any frontier, provided that they are in possession of one of the following documents :

(a) a national passport even if it has expired within the previous five years;

(b) an identity card which was issued by a competent cantonal or communal authority and which bears the photograph of the holder;

(c) in the case of Swiss nationals resident in Belgium, a Belgian alien's identity card the validity of which has not expired.

V. Swiss children under the age of fifteen years who do not hold a passport or an identity card shall be authorized to enter and leave Belgium if they are in possession of a children's *laissez-passer* (*Kinderausweis*), issued by the competent cantonal authority, giving the identity and bearing the photograph of the holder. In the case of children under the age of seven years, it shall not be mandatory for this document to bear a photograph.

VI. Swiss nationals travelling in a group may enter and leave Belgium by any frontier if included in a collective list in lieu of a passport, subject to the following conditions :

(a) the collective list must be prepared or authenticated by the competent Swiss authority;

(b) the collective list is held by the leader of the group who must himself be in possession of a valid passport or a passport which has expired not more than five years previously. The leader of the group must carry out the formalities on behalf of all the members of the group on entering and leaving Belgium and during the stay in that country.

Each member of the group must be in possession of an official or recognized identity document, bearing a photograph.

The number of persons travelling on one and the same document may not be less than five nor more than fifty, not including the leader of the group;

(c) the collective list must state the length of stay in Belgium and give the following particulars in respect of each member of the group : name, first name, year of birth, place of birth or origin, permanent address and description of the individual identity document;

(d) all persons included in the same collective list are required, on entering and leaving the country, to cross the frontier together in a single group;

(e) the stay in Belgium may not exceed two months and may not normally be extended. In the case of a transit journey through Belgium to and from a third country, the return journey may be made more than one month after the outward journey but less than six months from the date of issue of the collective list.

VII. Belgian nationals wishing to proceed to Switzerland with the object of entering employment there must be in possession of a valid national passport and are required to obtain before leaving, with a view to carrying on the occupation in question, an *assurance d'autorisation de séjour* (an assurance that a residence permit will be issued) through the agency of a Swiss consular representative or of their future employers.

VIII. Swiss nationals wishing to proceed to Belgium, with the object of carrying on a gainful occupation there on their own account or for wages must be in possession of a valid national passport and are required, before proceeding to Belgium, to obtain a provisional immigration visa which will only be issued to such persons on production of their worker's card or employment permit.

IX. Belgian nationals in Switzerland and Swiss nationals in Belgium remain subject to the laws and regulations applicable to aliens concerning temporary or permanent residence and the exercise of a gainful occupation, whether for wages or not.

X. This agreement does not apply to the Belgian Congo or to Ruanda-Urundi. Swiss nationals wishing to proceed to these territories must be in possession of a valid passport endorsed by a Belgian consulate.

XI. At the request of the Government of the Principality of Liechtenstein, the foregoing provisions shall apply likewise to nationals of the Principality of Liechtenstein proceeding to Belgium and to Belgian nationals proceeding to the Principality of Liechtenstein.

XII. This agreement, which will come into force on 10 August 1950, cancels and supersedes the agreement concluded by exchange of notes dated 3 July 1947¹ at Brussels and the agreement concluded by exchange of letters dated 26 February and 7 March 1949¹ at Berne.

This note and the reply in the same terms and of the same date which the Belgian Legation will communicate to the Federal Department of Justice and Police will constitute the agreement concluded between the two Governments.

¹ United Nations, *Treaty Series*, Volume 29, page 277.

The Federal Department of Justice and Police has the honour, etc.

Berne, 28 July 1950

FEDERAL DEPARTMENT OF JUSTICE AND POLICE

II

No. 4002 Ch./Br.
File C. 9

The Belgian Legation at Berne presents its compliments to the Federal Department of Justice and Police and has the honour to acknowledge receipt of its note N^o. B. 6/12/9 dated 28 July 1950 informing the Legation that the Swiss Government is prepared to conclude with the Belgian Government an agreement in the following terms :

[*See note I*]

The Belgian Legation requests the Federal Department of Justice and Police to regard its note to the Legation dated 28 July 1950 together with the present reply as constituting the agreement reached between the two Governments.

The Belgian Legation has the honour, etc.

Berne, 28 July 1950.

Federal Department of Justice and Police
Berne