

No. 7632

**NETHERLANDS, BELGIUM and LUXEMBOURG
and
SWITZERLAND**

**Exchange of letters constituting an agreement concerning
the movement of refugees. Berne, 14 May 1964**

Official text: French.

Registered by the Netherlands on 10 March 1965.

**PAYS-BAS, BELGIQUE et LUXEMBOURG
et
SUISSE**

**Échange de lettres constituant un accord concernant la
circulation des réfugiés. Berne, 14 mai 1964**

Texte officiel français.

Enregistré par les Pays-Bas le 10 mars 1965.

[TRANSLATION — TRADUCTION]

No. 7632. EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENTS OF THE NETHERLANDS, BELGIUM AND LUXEMBOURG, ON THE ONE HAND, AND THE SWISS FEDERAL COUNCIL, ON THE OTHER, CONCERNING THE MOVEMENT OF REFUGEES. BERNE, 14 MAY 1964

I

ROYAL EMBASSY OF BELGIUM
EMBASSY OF THE GRAND DUCHY OF LUXEMBOURG
ROYAL EMBASSY OF THE NETHERLANDS

Berne, 14 May 1964

Sir,

We have the honour to inform Your Excellency that the Governments of the Benelux countries are prepared to conclude with the Swiss Federal Council an Agreement concerning the movement of refugees, in the following terms, which are submitted for your consideration :

The Swiss Federal Council, on the one hand, and the Governments of the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, acting together, in accordance with the Convention of 11 April 1960² on the transfer of control of persons to the external frontiers of Benelux territory, on the other hand;

Desiring to facilitate the movement of refugees in their territory;

Taking as a basis the provisions of the Geneva Convention of 28 July 1951³ relating to the Status of Refugees;

Have agreed as follows :

Article 1

For the purpose of this Agreement, the term "the Benelux countries" means the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands; the term "Benelux territory" means the whole of the territories in Europe of the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

The term "provisional residence authorization" means authorization to go to one of the Benelux countries for a period of more than three months.

¹ Came into force on 15 June 1964, in accordance with the provisions of article 10.

² United Nations, *Treaty Series*, Vol. 374, p. 3.

³ United Nations, *Treaty Series*, Vol. 189, p. 137.

Article 2

Refugees lawfully residing in Switzerland shall be exempted from the formality of a visa for entry into and travel in Benelux territory, on condition that they hold a valid refugee's travel document issued by the Swiss authorities in conformity with the provisions of the Convention relating to the Status of Refugees, signed at Geneva on 28 July 1951.

These facilities shall be made available only for sojourns of three months or less in the territory of each of the Benelux countries.

A "provisional residence authorization" shall continue to be required for residence of longer duration. This "provisional residence authorization" shall be stamped in the refugee's travel document.

Article 3

Refugees lawfully residing in one of the Benelux countries shall be exempted from the formality of a visa for entry into and travel in Switzerland, on condition that they hold a valid refugee's travel document issued by the authorities of one of the Benelux countries in conformity with the provisions of the Convention relating to the Status of Refugees, signed at Geneva on 28 July 1951.

These facilities shall be made available only for sojourns of three months or less in Switzerland.

A visa shall continue to be required for residence of longer duration or for any entry into Swiss territory with a view to engaging in gainful activity.

Article 4

The Swiss frontier and the external frontiers of Benelux territory may be crossed only at authorized crossing points.

Article 5

Each Contracting Government reserves the right to refuse entry into or residence in its territory to refugees whom it considers undesirable.

Article 6

Refugees shall, during their residence in Switzerland or in one of the Benelux countries, be subject to the provisions concerning aliens in force therein.

Article 7

Refugees to whom the benefits of this Agreement are extended shall be readmitted at any time into the State which issued them a travel document, on the request of the other State, unless the latter has authorized the persons concerned to settle in its territory.

The persons concerned shall not be considered "settled" in that territory for a period not exceeding two years or for the period of validity of their travel document, unless they have lawfully transferred most of their personal interests to that territory.

Article 8

Except as regards the provisions of article 7 above, each Contracting Party may suspend application of this Agreement for serious reasons relating to public order or security. Such suspension must be notified immediately to the other Party, through the diplomatic channel.

Article 9

Any difficulties arising from the application of the provisions set out above shall be settled by the States concerned through the diplomatic channel.

Article 10

This Agreement shall enter into force on the fifteenth of June one thousand nine hundred and sixty-four and shall remain in force for one year. Unless it is denounced by the Swiss Federal Council or the Governments of the Benelux countries one month before the end of that period, the Agreement shall be extended indefinitely. The Swiss Federal Council or the Governments of the Benelux countries may denounce it subsequently by giving three months' notice.

If the Swiss Federal Council is prepared to conclude an agreement with the Governments of the Benelux countries in conformity with the foregoing provisions, we have the honour to propose that this letter and your reply in similar terms should constitute the Agreement between the Swiss Federal Council and the Governments of the Benelux countries.

Accept, Sir, the assurances of our highest consideration.

For the Kingdom of Belgium :

(Signed) ROTHSCHILD

For the Grand Duchy of Luxembourg :

(Signed) P. MAJERUS

For the Kingdom of the Netherlands :

(Signed) L. SAVELBERG

His Excellency Mr. Friedrich Wahlen
Federal Councillor
Head of the Federal Political Department
Berne

II

FEDERAL POLITICAL DEPARTMENT

0.743.311.1.

Berne, 14 May 1964

Sir,

By letter of today's date, you and the Ambassadors of the Kingdom of Belgium and of the Grand Duchy of Luxembourg were kind enough to inform me of the following :

[See letter I]

I have the honour to confirm to you that the Swiss Federal Council has approved the contents of your joint letter. Consequently, your letter and this reply will constitute an agreement between the Swiss Federal Council and the Governments of the Benelux countries concerning the movement of refugees.

Similar letters have been sent this day to the Ambassadors of the Kingdom of Belgium and of the Grand Duchy of Luxembourg.

Accept, Sir, the assurances of my highest consideration.

(Signed) WAHLEN

His Excellency Mr. Léon Savelberg
Ambassador of the Kingdom of the Netherlands
to Switzerland
Berne
