

N° 861.

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## BRÉSIL ET SUISSE

Traité relatif au règlement judiciaire  
des différends qui viendraient à  
s'élever entre les deux Parties  
contractantes, signé à Rio de  
Janeiro, le 23 juin 1924.

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## BRAZIL AND SWITZERLAND

Treaty relating to the Judicial Settle-  
ment of Disputes which may arise  
between the two Contracting  
Parties, signed at Rio de Janeiro,  
June 23, 1924.

## TEXTE PORTUGAIS. — PORTUGUESE TEXT.

No. 861. — TRATADO<sup>1</sup> RELATIVO A SOLUÇÃO JUDICIAL DAS CONTROVERSIAS QUE VENHAM A SURGIR ENTRE A CONFEDERAÇÃO SUÍSSA E A REPÚBLICA DOS ESTADOS UNIDOS DO BRASIL, ASSIGNADO NO RIO DE JANEIRO EM 23 DE JUNHO DE 1924.

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*French and Portuguese official texts communicated by the Swiss Federal Council. The registration of this Treaty took place May 16, 1925.*

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O CONSELHO FEDERAL SUÍSSO e o PRESIDENTE da REPÚBLICA dos ESTADOS UNIDOS do BRASIL, animados do desejo de fortalecer, cada vez mais, os laços de boa amizade existentes entre os dois países, resolveram celebrar um Tratado para a solução das controversias que se possam suscitar, no futuro, entre a Confederação Suíssa e os Estados Unidos do Brasil, e para esse fim nomearam seus Plenipotenciários, a saber :

O CONSELHO FEDERAL SUÍSSO :

o Senhor Alberto GERTSCH, Enviado Extraordinario e Ministro Plenipotenciario da Confederação Suíssa, nos Estados Unidos do Brasil.

O PRESIDENTE DA REPÚBLICA DOS ESTADOS UNIDOS DO BRASIL :

o Senhor José Felix Alves PACHECO, Ministro de Estado das Relações Exteriores.

Os quaes depois de se haverem communicado os seus plenos poderes, achados em boa e devida forma, convieram nos artigos seguintes :

*Artigo 1.*

As Altas Partes Contratantes obrigam-se a submeter á Côrte Permanente de Justiça Internacional<sup>2</sup> as controversias que surgirem entre ellas e que não tenham sido resolvidas por via diplomatica ou por outro qualquer meio de conciliação, contanto que taes controversias não versem sobre questões que affectem preceitos constitucionaes de um ou outro dos Estados Contractantes.

*Artigo 2.*

As questões que já tenham sido objecto de accordos definitivos entre as duas Partes não poderão dar causa a recurso para á Côrte Permanente de Justiça Internacional, a menos que a controversia seja sobre a interpretação ou execução dos mesmos accordos.

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<sup>1</sup> The exchange of ratifications took place at Rio de Janeiro, April 7, 1925.

<sup>2</sup> Vol. VI, page 379 ; Vol. XI, page 404 ; Vol. XV, page 304 ; Vol. XXIV, page 152 and Vol. XXVII, page 416 of this Series.

<sup>1</sup> TRADUCTION. — TRANSLATION.

## No. 861. — TREATY BETWEEN THE UNITED STATES OF BRAZIL AND SWITZERLAND, RELATING TO THE JUDICIAL SETTLEMENT OF DISPUTES WHICH MAY ARISE BETWEEN THE TWO CONTRACTING PARTIES, SIGNED AT RIO DE JANEIRO, JUNE 23, 1924.

The SWISS FEDERAL COUNCIL and the PRESIDENT OF THE REPUBLIC OF THE UNITED STATES OF BRAZIL, being desirous of strengthening still further the ties of friendship which unite the two countries and of settling as far as possible by judicial means any disputes which may arise between the Swiss Confederation and the United States of Brazil, have resolved to conclude a Treaty for this purpose and have appointed as their Plenipotentiaries :

## THE SWISS FEDERAL COUNCIL :

M. Albert GERTSCH, Envoy Extraordinary and Minister Plenipotentiary of the Swiss Confederation in the United States of Brazil,

## THE PRESIDENT OF THE REPUBLIC OF THE UNITED STATES OF BRAZIL :

M. José Felix Alves PACHECO, Minister of State for Foreign Affairs,

Who, having communicated their full powers found in good and due form, have agreed upon the following provisions :

*Article 1.*

The High Contracting Parties undertake to submit to the Permanent Court of International Justice any disputes that may arise between them and which it may not have been possible to settle through the diplomatic channel or by any other method of conciliation, subject, however, to the condition that these disputes shall not refer to questions affecting the constitutional principles of one or other of the Contracting States.

*Article 2.*

Questions which have already been the subject of definite agreements between the two Parties shall not be referred to the Permanent Court of International Justice unless the dispute bears upon the interpretation or execution of these agreements.

*Article 3.*

In each particular case the High Contracting Parties shall sign a special agreement (*compromis*) specifying clearly the subject of the dispute, the particular competence that might devolve upon the Court, and any other conditions fixed between themselves.

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations.

<sup>1</sup> Translated by the Secretariat of the League of Nations.

The agreement shall be constituted by an exchange of notes between the Governments of the High Contracting Parties.

All points contained therein shall be interpreted by the Permanent Court of International Justice.

If, within six months of the notification by one of the Parties of a draft, the High Contracting Parties do not agree upon the steps to be taken, either Party may, by a simple application, refer the matter to the Court of International Justice, in conformity with Article 40 of the Statute of the Court.

*Article 4.*

The High Contracting Parties undertake to observe and act loyally upon the judgment of the Permanent Court of International Justice.

During the judicial procedure they shall abstain from all measures which might prejudicially affect the execution of the judgment given by the Court of Justice.

*Article 5.*

Any difficulties which may arise as to the execution of the judgment shall be settled by the Permanent Court of International Justice.

In this case either Party may refer the dispute to the Court of Justice by a simple application.

*Article 6.*

Each Party shall bear its own costs of procedure.

*Article 7.*

The present Treaty shall be ratified. The instruments of ratification shall be exchanged at Rio de Janeiro as soon as possible.

The Treaty is concluded for a period of ten years from the date of the exchange of ratifications. Unless denounced six months before the expiration of this period, it shall remain in force for a further period of ten years, and similarly thereafter.

In faith whereof the Plenipotentiaries above mentioned have signed the present Treaty in duplicate, each copy being in the French and Portuguese languages, and have thereto affixed their seals.

Done in duplicate, at Rio de Janeiro, on the twenty-third day of June, 1924.

(L. S.) (Signed) ALBERT GERTSCH.

(L. S.) (Signed) JOSE FELIX ALVES PACHECO.