

PAYS-BAS ET SUISSE

Echange de notes comportant un arrangement pour permettre aux avions de l'un des deux pays transitant par l'autre d'emporter, pour la défense de leurs occupants ou pour la chasse, des armes à feu avec leurs munitions. Berne, les 26 septembre et 15 octobre 1936.

**THE NETHERLANDS
AND SWITZERLAND**

Exchange of Notes constituting an Agreement to enable Aircraft of One of the Two Countries passing in Transit through the Other to carry, for the Defence of their Occupants and for Purposes of Sport, Fire-arms and Ammunition therefor. Berne, September 26th and October 15th, 1936.

¹ TRADUCTION. — TRANSLATION.

No. 4084. — EXCHANGE OF NOTES ² BETWEEN THE NETHERLANDS AND SWISS GOVERNMENTS CONSTITUTING AN AGREEMENT TO ENABLE AIRCRAFT OF ONE OF THE TWO COUNTRIES PASSING IN TRANSIT THROUGH THE OTHER TO CARRY, FOR THE DEFENCE OF THEIR OCCUPANTS AND FOR PURPOSES OF SPORT, FIRE-ARMS AND AMMUNITION THEREFOR. BERNE, SEPTEMBER 26TH AND OCTOBER 15TH, 1936.

French official text communicated by the Netherlands Minister for Foreign Affairs. The registration of this Exchange of Notes took place April 5th, 1937.

I.

NETHERLANDS LEGATION.

No. 2730.

BERNE, *September 26th*, 1936.

SIR,

I have the honour to inform you that the Netherlands Government proposes to conclude the following Agreement to enable Netherlands aircraft passing through Switzerland and Swiss aircraft passing through the Netherlands to carry fire-arms for the defence of their occupants or for purposes of sport :

“ The transit through Switzerland on board aircraft registered in the Netherlands of fire-arms and ammunition intended for the defence of the pilot and passengers, or for purposes of sport, shall be free, subject to reciprocity and to the following conditions :

(1) The quantity and type of fire-arms and ammunition intended for the defence of the pilot and passengers must not exceed the minimum necessary for the purpose.

(2) During the flight over Swiss territory the pilot or commander of the aircraft shall be personally responsible for the stowage of fire-arms and ammunition intended for the defence of the pilot and passengers or for purposes of sport in such a manner as not to permit of their use and not to endanger the safety of passengers.

(3) During landings in Switzerland fire-arms and ammunition must remain on board the aircraft. Where the landing is prolonged, the aerodrome authorities or the chief of police may order the arms and ammunition to be handed over to them from the time of arrival until the time of departure of the aircraft.

(4) The owner of the fire-arms and ammunition must be the bearer of a declaration from the Ministry of Justice at The Hague to the effect that the presence of fire-arms

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 Came into force October 15th, 1936.

and ammunition on board the aircraft is known to the Ministry and has been authorised. The declaration must also mention the quantity, the calibre, the number and the make of the fire-arms, and also the quantity of ammunition.

(5) The owner of the fire-arms and ammunition must also have a permit for their transit through Switzerland, delivered by the Swiss Legation in the Netherlands.

Reciprocally, transit through the Netherlands on board aircraft registered in Switzerland of fire-arms and their ammunition intended for the defence of the pilot and passengers, or for purposes of sport, shall also be free, subject to the same conditions, it being understood that the declaration for which paragraph 4 provides shall be delivered by the Federal Aviation Office, and the permit for which paragraph 5 provides by the Netherlands Legation in Switzerland.

In the event of an affirmative reply by the Swiss Government, the present Agreement shall come into force upon the day on which the reply is sent, subject to denunciation at any time at one month's notice. "

I request you to be good enough to submit this proposal to the Federal Government and to inform me of their decision thereon.

I have the honour to be, etc.

C. VAN RAPPARD.

Monsieur G. Motta,
Federal Councillor,
Head of the Federal Political Department,
Berne.

II.

FEDERAL POLITICAL DEPARTMENT.

SECTION FOR FOREIGN AFFAIRS.

C. 16.3.2. P.B. 2. KE.

BERNE, *October 15th*, 1936.

MONSIEUR LE MINISTRE,

In your letter of September 26th, Your Excellency informed me that the Netherlands Government proposes to conclude the following Agreement to enable Netherlands aircraft passing through Switzerland and Swiss aircraft passing through the Netherlands to carry fire-arms for the defence of their occupants or for purposes of sport :

" The transit through Switzerland on board aircraft registered in the Netherlands of fire-arms and ammunition intended for the defence of the pilot and passengers, or for purposes of sport, shall be free, subject to reciprocity and to the following conditions :

(1) The quantity and type of fire-arms and ammunition intended for the defence of the pilot and passengers must not exceed the minimum necessary for the purpose.

(2) During the flight over Swiss territory the pilot or commander of the aircraft shall be personally responsible for the stowage of fire-arms and ammunition intended for the defence of the pilot and passengers or for purposes of sport in such a manner as not to permit of their use and not to endanger the safety of passengers.

(3) During landings in Switzerland fire-arms and ammunition must remain on board the aircraft. Where the landing is prolonged, the aerodrome authorities or the chief of police may order the arms and ammunition to be handed over to them from the time of arrival until the time of departure of the aircraft.

(4) The owner of the fire-arms and ammunition must be the bearer of a declaration from the Ministry of Justice at The Hague to the effect that the presence of fire-arms and ammunition on board the aircraft is known to the Ministry and has been authorised. The declaration must also mention the quantity, the calibre, the number and the make of the fire-arms, and also the quantity of ammunition.

(5) The owner of the fire-arms and ammunition must also have a permit for their transit through Switzerland, delivered by the Swiss Legation in the Netherlands.

Reciprocally, transit through the Netherlands on board aircraft registered in Switzerland of fire-arms and their ammunition intended for the defence of the pilot and passengers, or for purposes of sport, shall also be free, subject to the same conditions, it being understood that the declaration for which paragraph 4 provides shall be delivered by the Federal Aviation Office, and the permit for which paragraph 5 provides by the Netherlands Legation in Switzerland.

In the event of an affirmative reply by the Swiss Government, the present Agreement shall come into force upon the day on which the reply is sent, subject to denunciation at any time at one month's notice."

I have the honour to inform Your Excellency that the Federal Council have agreed to conclude the Agreement proposed by the Netherlands Government, and have no addition or amendment to propose thereto.

I have the honour to be, etc.

MOTTA,
Federal Political Department.

His Excellency
Jonkheer Carel van Rappard,
Netherlands Minister,
Berne.