

N° 4494.

**ÉTATS-UNIS D'AMÉRIQUE
ET SUISSE**

**Convention relative aux obligations
militaires de certains doubles na-
tionaux. Signée à Berne, le 11
novembre 1937.**

**UNITED STATES OF AMERICA
AND SWITZERLAND**

**Convention relative to Military Obli-
gations of Certain Persons having
Dual Nationality. Signed at Berne,
November 11th, 1937.**

No. 4494. — CONVENTION¹ BETWEEN THE UNITED STATES OF AMERICA AND SWITZERLAND RELATIVE TO MILITARY OBLIGATIONS OF CERTAIN PERSONS HAVING DUAL NATIONALITY. SIGNED AT BERNE, NOVEMBER 11TH, 1937.

French and English official texts communicated by the Swiss Federal Council and by the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Berne. The registration of this Convention took place December 22nd, 1938.

THE SWISS FEDERAL COUNCIL and THE PRESIDENT OF THE UNITED STATES OF AMERICA, Animated by the desire of regulating the military obligations of certain individuals possessing both Swiss and American nationality, have resolved to conclude a Convention to that effect and have named as their Plenipotentiaries :

THE SWISS FEDERAL COUNCIL :

Mr. Giuseppe MOTTA, President of the Confederation, Chief of the Federal Political Department ;

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

Mr. Leland HARRISON, Envoy Extraordinary and Minister Plenipotentiary of the United States of America in Berne ;

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

Article 1.

A person, born in the territory of one of the two Parties, of parents who are nationals of the other, who possesses the nationality of these two States and has his habitual residence in the State of his birth, shall not be held liable by the other State for military service or for payment of taxes in lieu thereof, even in the case of a temporary stay in the territory of the latter State. However, if this stay is protracted beyond the period of two years, it shall be presumed to be permanent, unless the person can show his intention of returning to his native land shortly after the lapse of this period.

Article 2.

The present Convention shall be ratified.

It shall become effective upon the exchange of the instruments of ratification and shall continue in effect for three years. At the end of this time, either of the Parties may denounce it at any time, subject to notice given six months in advance.

In witness whereof, the above-named Plenipotentiaries have signed this Convention and have hereunto affixed their seals.

Done at Berne, in duplicate, in the French and English languages, the eleventh day of November nineteen hundred and thirty-seven.

(L. S.) (sig.) MOTTA.

(L. S.) (sig.) Leland HARRISON.

Certified to be a true and complete textual copy of the original Convention in all the languages in which it was signed.

For the Secretary of State
of the United States of America :

Edward Yardley,
Director of Personnel.

Pour copie conforme :

Berne, le 9 janvier 1939.

Le Chancelier de la Confédération,
G. Bovet.

¹ The exchange of ratifications took place at Berne, December 7th, 1938.