

PATHS OF IRON: CONTEXTUALIZING FRANCO-SWISS ECONOMIC
RELATIONS IN THE REGION OF HAUTE-SAVOIE
THROUGH TRANSLATION

by

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ABSTRACT

Language is a system through which messages are communicated. Moreover, language is a system that connects individuals to one another by facilitating exchanges of information. It unites people. It creates a community and a mutual understanding for all of those who are able to be a part of a language-speaking group. In the modern day and in an interconnected world, different languages must be reconciled with others. And that includes every single bit of their respective arbitrary systems coming together to reach a common understanding. This is where the concept of translation and the role of the translator become important. Translation is a powerful tool that allows knowledge, findings, opinions, and context to transcend the barrier of language that would, otherwise, impede their movement. Translation allows ideas to be understood between two different language-speaking groups; however, because languages are never identical and each one codes messages in different ways, translation is the means by which these differences can be addressed and mitigated. Translation is important because even with English's far reach, there are still barriers to the flow of knowledge caused by differences in language. This thesis aims to translate four late nineteenth century treaties concluded between the Swiss Confederation and the French Republic, in an effort to more completely understand and fully contextualize the economic relations between the two countries at the time. None of the four treaties have English translations, nor have any of the four treaties been analyzed by Anglophonic scholars. Translation opens a new realm of research, study, or

literature to those that would otherwise not have the chance to understand the new idea or work. The spread of ideas and information is further facilitated by the act of translation. Translation opens doors for new, interactive, and contextualized relationships between not only people, but also countries as a whole.

I. INTRODUCTION

OVERVIEW

“Languages are systems of arbitrarily selected, but conventionalized signs which serve to convey arbitrarily selected but conventionalized meanings.”¹

Werner Winter makes an interesting assertion about language that examines the intangibility of the essence of language. He highlights the fact that languages are essentially fully arbitrary; however, in their lack of rhyme and reason, they still are organized in and of themselves. His statement captures the complex enigma that is the phenomenon of language and how the entire system fits together.

The fact that all of the languages of the world are simply arbitrary sets of rules that exist to facilitate the movement of information is not necessarily hard to conceptualize. For example, the order of the English alphabet, in theory, is completely arbitrary, with no true reason for its order. The phenomenon of conjugating verbs or the rules that dictate in what order adjectives in English should go have no true reason for

¹ Arrowsmith, William, Roger Shattuck, and Werner Winter. *The Craft & Context of Translation; a Symposium: Impossibilities of Translation*. Published by University of Texas Press for Humanities Research Center, 1961. 69.

existence. On top of this, the fact that some rules are shared by some languages and not by others makes the rules even more arbitrary.

In the modern day and in an interconnected world, different languages must be reconciled with others. And that includes every single bit of their respective arbitrary systems coming together to reach a common understanding. This is where the concept of translation and the role of the translator become important. This is also where the goal of translation and the role of the translator come into question. What is the goal of translation — to simply convey the ideas presented in a way that provides the ideas of the original text in a digestible form or to attempt to create a new and identical model of the original text, which highly risks mistranslation.

If the translator attempts to utilize the former method on his translation, he risks losing important nuances and meanings that might have existed in the original text. Proetz discusses this phenomenon in an anecdote when he was reading the French bible with some acquaintances, and they stumbled upon the words “Voici l’hippopotame,” which translates to English as “behold (now) the hippopotamus.”² Now, in this hilarious translation of what is commonly seen as “Behold (now) the Behemoth,” a completely different message and feeling are conveyed. Simply put, there is not the same luster in both passages. The large and imposing stature of the behemoth does not necessarily

² Proetz, Victor. *The Astonishment of Words: an Experiment in the Comparison of Languages*. University Texas Press, 1971. 3.

equate to the presence or experience of looking at a hippopotamus. Yes, they both convey the idea that a large being is meant to be looked upon in awe, fear, or some sort of emotion; however, in the pursuit of having a gist-oriented translation, there is an incredible amount of subtext and nuance lost in the translation. However, if a translator were to attempt the latter method, they ensure comprehension on the part of the reader, yet the translator commits to the complete altering of the original author's intended message. In other words, one ends up with a simple gist-style translation that no longer truly relies upon its source text.

Translation cannot be seen as a piece-by-piece process, nor can it be seen as having a goal of simply conveying meaning. It is a holistic process that is much more difficult than it seems. D.S. Carne Ross describes the process of translation being something that takes painstaking work and concern about each individual word in the sentence and its relation to the other words therein. The sentence must be, essentially, torn apart — “atomized” — and put together with care for context, nuance, and placement.³ Translation is almost just as intensive as writing the original work or text. Translation itself can almost be described as a Sisyphean task — always striving for a goal that is not attainable. The translator is met with a task that can be described as quite literally impossible. Werner Winter equates the experience of translation to being “an artist who is asked to create an exact replica of a marble statue, but [the artist] cannot

³ Arrowsmith, 4.

secure any marble. [Instead] he may have to model in clay or work in bronze, or he may have to use a brush or a pencil and a sheet of paper.”⁴ The translator is destined to fail with the given task, as it quite literally is not possible to make an exact replica unless one were translating to and from the same language. Simply put, there is no such thing as an exact translation between two different languages. Languages may be similar, but they, by definition, are not and cannot be identical.⁵ Justin O’Brien notes the importance of translation from an American perspective:

Above all, translation must speak to us not only in English words but also in the most appropriate English or American idioms. And if it does not do this, it falls short of its primary purpose, which is simply to introduce us to a new writer or a new work that without such translation we might never know.⁶

What is important to note is that English speakers are not and should not be the sole beneficiaries of translation. That is to say not all works should have to undergo translation into English in order for Anglophonic audiences to enjoy or comprehend them. Works in English should be translated into other languages, just as works in other languages should be translated into English. There exist untold amounts of works and information that exist in languages other than English whose translation could prove beneficial to English speakers, and works only available in English could have vast

⁴ Ibid., 68.

⁵ Ibid., 69.

⁶ Brower, Reuben Arthur. *On Translation*. Oxford University Press, 1966. 92.

benefits for speakers of other languages. Even personally, I have seen how much knowledge I cannot understand because of a language barrier when doing research. I want to contribute to the world of translation by undertaking this project and translating works from French to English.

This thesis shall consist of four translations of treaties concluded between the French Republic and the Swiss Confederation in the years of 1881 and 1882. These four treaties have been translated into German and Italian, as these are other official languages of the Swiss Confederation; however, no translation work of any kind has been done on these treaties in English. All four treaties center around the economic and political situation surrounding the region of Haute-Savoie, located in Eastern France, and its relationship with the Canton of Geneva in Western Switzerland.

THE INTRACACIES OF (TECHNICAL) TRANSLATION

Starting immediately with the title, this project shows the challenge that exists with translation. The title is a literal translation of the French phrase *chemins de fer*, which translates literally as paths of iron.⁷ However, speakers of French and English know that the phrase *chemin(s) de fer* refers to a railroad or a railway in English. It also

⁷ A literal translation is a translation that takes every word in the source and gives its direct translation in the target language. There is a one to one ratio of words. This type of translation typically yields sentences that lack cohesion without much meaning in the target language.

refers to a variation of *baccarat*, which adds to the confusion of a translator. Nevertheless, even this demonstrates the depth and nuance that exist in translation work between languages. Translation has a great power to affect meaning and, thus, affect what the reader sees and retains. A translator's choices have the ability to completely alter the intended meaning or intention of the original text. This is especially true in the field of literary translation, in which a translator is tasked with translating metaphors in the source language into the target languages, bearing the burden of respecting the original author's intent, while also attempting to make the translated work, itself, a work of literature. Be that as it may, this project looks to another branch of translation — technical translation.

Technical translation, as a field, refers to the translation of documents that would be deemed as technical. These documents deal with specific subjects that require high amounts of knowledge about the subject in order to create a decent and useful translation. This knowledge is important in both the source language and the target language, as typically, technical translation employs a different register of language than one would use in conventional speech. Moreover, technical translations are typically for a limited audience to whom the translation would be useful. This project is a technical legal translation, meaning that it concerns the translation of a document with legal significance. This type of translation requires professional and precise language and exact

interpretation so as to avoid mistranslation or misinterpretation.⁸ The Oner and Karadag article mentions how important this can be when they discuss the adoption of many of the principles outlined in the French penal code in Turkey. As a result of a series of mistranslations, gist-for-gist translations, and literal translations, some crimes were slated to be punished more harshly than was outlined in the original text. Legal documents are known for having long clauses with verbose wording and interlocking prepositions with relative pronouns, all of which can easily mislead an imprudent reader. It is this challenge — to navigate the text in the original language and produce a new text that contains all of the intricacies of the original text — that exists in this type of translation.⁹

⁸ Oner, Senem and Ayse Banu Karadag. "Lawmaking through Translation: 'Translating' Crimes and Punishments." *Perspectives-Studies in Translatology* (24), No. 2, 321.

⁹ Farrokhi, Mansour. 2019. "The Role of Legal Translation in the Interpretation of International Law Documents." *Russian Law Journal* 7 (1): 55.

II. METHODOLOGY

Between Language Families

English and French belong to two separate language families, Germanic and Romance respectively. English is specifically a member of the West Germanic family, which includes German, English, and Dutch. French is a member of the well-populated Romance family, which is comprised of languages descended from Latin. Both families have their own histories that have yielded their respective vocabularies, grammatical systems, and areas of influence. What is important about this last aspect though is that English shares an interesting history with France in terms of influence. It is commonly known that the Norman conquest of England led to the gallicization of the English language. In other words, this French-ified the Germanic English language, giving many words with French origins and leaving the language with a permanent mark of that period of history. Despite this overlap, there are still many phenomena between the languages that are greatly incongruous.

Firstly, the manner in which verbs are conjugated differs greatly between English and French. English is very straightforward with its conjugations compared to French, mainly owing to the language's verbs' regularity and the virtual lack of a subjunctive system. Also, a lack of a formal 'you' renders the conjugation process that much more simple. More important, however, is syntax in the languages. French is derived from

Latin, a language that had a very extensive case system.¹⁰ While French and modern English have dropped their case systems, word order still remains relatively more free in French than in English. One is able to formulate sentences in French that would sound odd in English if uttered or written. For example, in Article V of the treaty concerning copyrights in France and Switzerland, one finds this sentence:

Sont expressément assimilées aux ouvrages originaux, les traductions faites
d'ouvrages nationaux ou étrangers.

This sentence has a very interesting, inverted structure compared to a conventional sentence, which would read, “Les traduction faites d’ouvrages nationaux ou étrangers sont expressément assimilées aux ouvrages originaux;” however, the sentence was perfectly legible in its inverted state. The same could not be said about its English counterpart if it were to be inverted. A literal translation of the inverted sentence would read, “(Are) expressly understood as equivalent to original works (are) national and foreign works.” This sentence would more than likely never be written in this order, even less likely uttered. And even if it were written or uttered, it would sound highly antiquated and dated. A better translation would be, “Translations made of national or foreign works are expressly understood as equivalent to the original works.” Why is this?

¹⁰ A case system is a grammatical system in which different parts of speech are categorized according to their function within a sentence. In Latin specifically, parts of speech went through a process of declension according to what they did in a sentence, which yielded a language in which word order mattered less, and the individual declensions mattered more.

This is one of the many phenomena one must recognize in order to successfully translate between these two languages.

Many times, especially between English and French, the function of a word in one sentence and its part of speech may have to completely change in the other. In addition to this, smaller, more nuanced things could need addressing. For example, English and French both possess a simple future tense, which in English is simply adding the modal auxiliary verb ‘will.’ In French, the simple future does not require a modal verb of any kind. Rather, there is one singular conjugation that implies the future. However, in English, the future tense can be expressed with a number of other modal verbs such as shall, may, should, could, and might. In legal contexts, it is much more appropriate to use ‘shall’ as the modal verb when translating the simple future in French; however, many contexts arise that require the use of ‘may’ or ‘should,’ and it is the task of the translator to parse these phrases to determine which modal verb, among all other words to be chosen, is the most appropriate.

THE SUM OF ITS PARTS

English is a language that heavily relies on word order in order to convey meaning. By dropping its case system, sentences no longer had the ability to freely move words about while retaining meaning. For example, in German, one could say, “Der Hund beißt den Mann,” which translates back into to English as, “The dog bites the

man.” However, this sentence can be inverted to say, “Den Mann beißt der Hund,” which also translates as, “The dog bites the man,” in a different order, which in English would read as, “The man bites the dog.” Because of German’s case system, each word’s function in the sentence is coded into the language, so meaning is not lost. While in English, one would have two separate sentences, leaving one to wonder whether or not the dog bit the man or if the man has a taste for dogs. Because of this, English phrases must be clear in their arrangement, as order dictates comprehension. Meanwhile in French, order plays a role in comprehension; however, there is more freedom in clauses’ placement in the sentence. As outlined in the previous section, French has the ability to invert its sentences and the clauses therein, all the while remaining intelligible and recognizable. The only shift that occurs is one in register of speech.¹¹ Because of this important difference in how each language conveys information, I took an approach that looked at what words *did* in a sentence versus looking at where the words *are* in the sentence. With this insight, a translator is able to make better, more-informed decisions about word choice and transposition in the translation.¹²

¹¹ Register refers to a specific type of language to be used for a certain occasion or in a specific setting. This translation focuses on the legal register of English. While the original version in French would simply refer to this register as *plus soutenu*, which is simply more formal speech.

¹² Transposition is a phenomenon in which the part of speech of a translated word or term changes when translated to the target language (i.e. a noun becoming a verb or vice versa).

This required breaking sentences down to the sum of their parts and looking at each individual word and what its function in the sentence was. This is the process described as atomization by Arrowsmith when he says, “The translator’s work begins many stages further back than with a modern language. It begins, in fact, at the pre-verbal level; the sentence, often the word, has to be dissolved, atomized, and its elements the reconstituted in a new form.”¹³ Sentences with long clauses, for example, required this kind of approach in order to assure that no mistranslation or misdirected references were made. Take for example the following sentence:

The evil teacher assigns us work daily and expects it on his desk by eight the next morning!

This sentence is relatively simple to understand in English, as everything in it goes in the correct order, but as an example, this is what it would with each individual word parsed for its part of speech:

The^{DA} evil^{ADJ} teacher^{SBJ₁} assigns^{AV₁} us^{IO} work^{DO} daily^{ADV} and^{CONJ} expects^{AV₁}
it^{DOP} on^{PREP₁} his^{PP} desk^{OP₁} by^{PREP₂} eight^{ADJ(T)} the^{DA} next^{ADJ} morning^{OP₂}!

With these labels, one is able to see how the subject (SBJ₁) interacts with the work (DO and DOP), to whom (IO) it is assigned (AV₁), where the evil (ADJ) teacher would like it (PREP₁), and when he or she would like it by (PREP₂). Knowing these relationships

¹³ Arrowsmith, 4

becomes especially important when dealing with a longer French sentence that might be found in a treaty. Take for example this sentence:

Le raccordement, à la frontière, des deux sections française et suisse sera effectué conformément aux plans et profils joints au procès-verbal de la conférence tenue à Genève.

This sentence is easily legible in French and is a sentence that can be literally translated. However, as previously mentioned, literal translation, while being the most direct form of translation, typically does not yield the most useful translation. The sentence above would directly translate as such:

The connection, at the border, of the two sections, French and Swiss, will be done conforming to the plans and profiles joined to the minutes of the conference held in Geneva.

This, for a lack of better words, is just words. One could attempt to gather meaning from the above sentence and walk away with some comprehension; however, much is lost in this literal translation. Moreover, it places a burden of comprehension upon the reader because the sentence does not present the information in an order to which an English speaker would be accustomed. Turning now to the newly annotated French sentence:

Le^{DA} raccordement^{SBJ₁}, à^{PREP₁} la^{DA} frontière^{OP₁}, des^{PREP₂} deux^{ADJ} sections^{OP₂}
française^{ADJ_{OP2}} et^{CONT} suisse^{ADJ_{OP2}} sera^{HV} effectué^{ADJ-PP} conformément^{ADV}

aux^{PREP}₃ plans^{OP}₃ et^{CONJ} profils^{OP}₃ joints^{ADJ}_{OP3} au^{PREP}₄ procès-verbal^{OP}₄ de^{PREP}₅
la^{DA} conférence^{OP}₅ tenue^{ADJ}_{OP5} à^{PREP}₆ Genève^{OP}₆.

Having the functions of each of these words in the previous sentence allows the translator to make better choices regarding words and word order. Thus, doing this, I translated the sentence as follows:

The connection of the two sections at the Franco-Swiss border shall be carried out in accordance with the plans discussed in the official report of the conference held in Geneva.

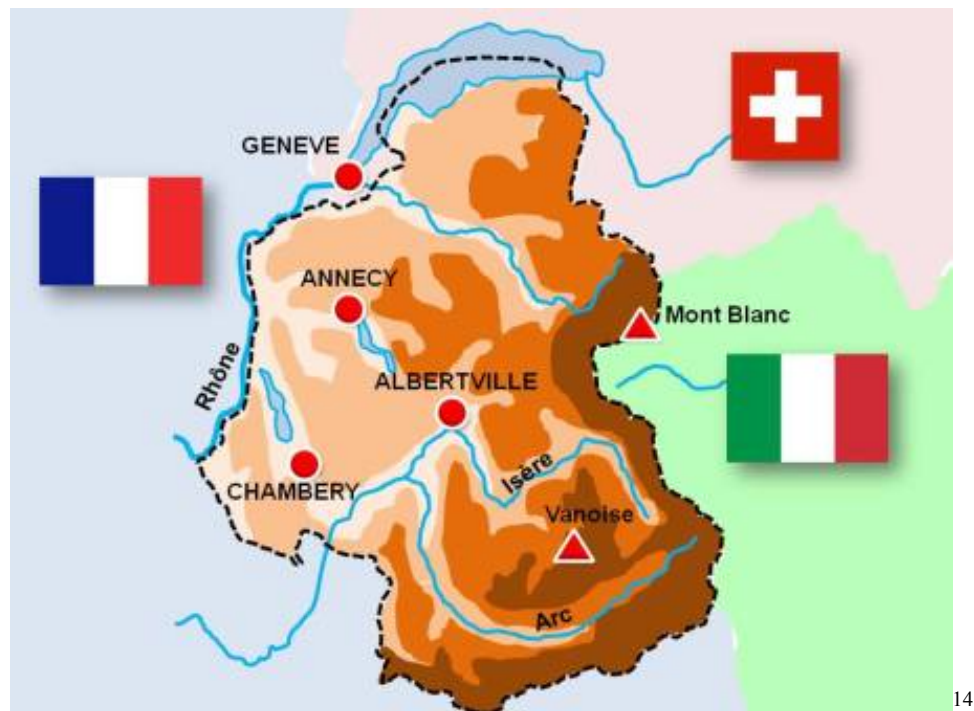
This sentence captures everything that was presented in the French sentence and presents it in a way that is digestible and easily understood by an English-speaking audience in a legal context, because it must be remembered that this type of translation uses a higher register of English than colloquial speech. Nevertheless, this is the kind of process and understanding utilized in this thesis in order to create an informative, useful, and elegant translation.

All translation in this thesis was done with the aid of online dictionaries and no online translators. The dictionaries used were WordReference and Linguee.

WordReference is a dictionary that gives the user the word's part of speech, its specific usage in context, and grammatical gender when applicable. Linguee is a context-based dictionary that gives the user definitions and parts of speech. It also finds sentences in which the specific term in question is used to give the user a contextual meaning.

III. HISTORICAL CONTEXT

These four treaties were concluded between the French Republic and the Swiss Confederation in the years 1881 and 1882. They are the culmination of months and years of conventions and were all ratified within a period of approximately four months. Each of them deals with a different aspect of Franco-Swiss economic relations: railroads, copyrights, trademarks, and citizenship laws. All four treaties share an important role in contextualizing the state of France and Switzerland at the time.



¹⁴ French Moments. Map of Savoie. <https://frenchmoments.eu/savoie/>.

The necessity for these treaties stems back well before the French Revolution in 1789. The region of Savoie, Savoy in English, is a region located in Eastern France, Southwestern Switzerland, and Northeastern Italy. The region is very mountainous and decently remote with respect to the countries that surround it. As a result, economic activity in the region was heavily reliant on the crossing of international borders in the communes that dot Savoie. The region remained under Italian control until 1860 when it was officially ceded to France. The region has been contested between France and Italy since the seventeenth century, with numerous failed invasion attempts on the part of the French over the course of three centuries.¹⁵ Three treaties put the region of Savoie into a position for conflict in the early nineteenth: the Treaty of Vienna of 1815, the Treaty of Turin of 1816, and the Treaty of Turin of 1860.

The Treaty of Vienna of 1815 restored the King of Sardinia as the ruling monarch in Piedmont, Nice, and Savoie. This treaty simply gave official control to the Italian King of Piedmont-Sardinia; however, as previously noted, the French very much wanted to have control of Savoie. There were many attempts to occupy the region in the years following the French Revolution of 1789, all of which were thwarted by the Italians. This treaty also granted land to the Canton of Geneva to connect the municipalities therein in that all considered themselves to be a part of the fledgling canton.¹⁶

¹⁵ Bordeaux, Henry. "Le Centenaire de la réunion de la Savoie à la France." *Revue Des Deux Mondes* (1829-1971), 1960, 205.

¹⁶ *Ibid.*, 209

The following year, the Treaty of Turin of 1816 was exacted between Italy and the Swiss Canton of Geneva. This treaty dealt with the enlarging of the canton itself. The Canton of Geneva had applied in 1814 to join the Swiss Confederation; however, the canton lacked a connection to the rest of the Confederation prior to the Treaty of Vienna, necessitating that land be given to it by Italy. The Treaty of Turin of 1816 granted more land to the newly-Swiss Canton of Geneva, but more importantly, it established a free trade zone, exempt from customs and tariffs, in what would eventually become the French region of Haute-Savoie.¹⁷ This trade zone supplemented the one that already existed in Gex, a neighboring region of France. This also allowed for the Canton of Geneva to have more formalized and valuable trade than before the official regulation thereof.

After more failed attempts on the part of France between 1815 and 1860 to take control of the region, another treaty came into force. The Treaty of Turin of 1860 officially ceded control of the Duchy of Savoie and the County of Nice to France.¹⁸ This was all done after a secret meeting between Napoleon III and Cavour where Napoleon agreed that France would support Italian unification if Nice and Savoie were given up.¹⁹

¹⁷ Haute-Savoie refers to the northern part of the larger region of Savoie. In the modern era, the two are distinguished from one another.

¹⁸ The ceding of Nice to France was more contested and controversial than that of Savoie simply due to the fact that the vast majority of the population of the County of Nice was Italian-speaking.

¹⁹ Gonzenbach, A. Von (August). *La Suisse et la Savoie: Considérées dans leurs relations de neutralité : Étude historique et critique*. 1860.

The region of Savoie did not support French annexation and heavily preferred the idea of Swiss annexation; however, to quell this potential conflict, a new duty-free zone was created to appease the Savoyard population.

At this point, the now French region of Haute-Savoie enjoyed commerce as it had with the Canton of Geneva with the provisions of the old free zone, but as the newly Swiss Geneva began to grow in economic prowess in the Confederation, newer and greater demands for commerce regulations in the region were needed. It was this growth in the region that led to the push for the revisions to the customs regime and the necessity for the construction of railroads between the countries, and the creation of the two aforementioned necessitated the creation of the other two that are translated in this thesis.

**IV. AGREEMENT REGARDING THE CUSTOMS REGULATIONS BETWEEN
THE CANTON OF GENEVA AND THE FREE ZONE OF HAUTE-SAVOIE /
*CONVENTION RELATIVE AU RÉGIME DOUANIER ENTRE LE CANTON DE
GENÈVE ET LA ZONE FRANCHE DE LA HAUTE-SAVOIE***

This treaty deals with the renewal and updating of the customs regime in place between Geneva and the region Haute-Savoie, which had been declared as a free zone in the Treaties of Turin. The growth of the Canton of Geneva, which had recently been admitted to the Swiss Confederation, necessitated an updated customs regime in order to meet the demands of the growing canton and the region surrounding it. The treaty put forth plans to construct a series of rail lines connecting Haute-Savoie to Geneva to facilitate economic relations between the two regions. The adoption of this treaty led to the creation and adoption of the other three in the series.

Ministry of Foreign Affairs.

Negotiations between France and Switzerland.

Customs Regulations

between

The Canton of Geneva and the Free Zone of Haute-Savoie.²⁰

Railroad Connections.

Official Report.

Paris.

National Bureau of Printing.



1881.

²⁰ The treaty uses the adjective *franc* (feminized to *franche*) to describe the zone as free in regard to tax regulations, customs duties, etc.

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Agreement
Regarding the Customs Regulations
Between the Canton of Geneva and the Free Zone
Of Haute-Savoie.

The President of the French Republic and the Swiss Federal Council, equally motivated by the desire to make anew the customs relations between the Canton of Geneva and the section of Haute-Savoie known as the Free Zone, have resolved to finalize an agreement for this very purpose, and have named the following as plenipotentiaries:

The President of the French Republic:

Sir Charles Jagerschmidt, First-Class Minister Plenipotentiary,
Officer of the Legion of Honor, etc., etc.;²¹

Sir Marie, Director of Foreign Trade in the Ministry of Agriculture
and Commerce, Commander of the Legion of Honor, etc., etc.;

²¹ Senior or Ranking are also appropriate translations of the phrase “*Ministre Plénipotentiaire*,” the term *envoy extraordinary* is more commonly used in the modern day.

And the Swiss Federal Council:

Sir Jean-Conrad Kern, Envoy Extraordinary and Ambassador of
the Swiss Confederation to the French Republic;

Who, after having communicated with one another their full power, found
to be correct and proper, agreed to the following provisions:

Article I — The Federal Administration of Tolls and Billing shall
grant an annual letter of credit, exempt from any federal entry fee
or custom, for 10,000 hectoliters originating from Haute-Savoie,
known as the Free Zone.²²

Article II — The toll booths located in the Canton of Geneva, on
the border of the Free Zone, shall accept free of any federal entry
fee or custom, with no limits on quantity, apart from objects that
are or shall be exempted by law, the following products originating
from the Free Zone:

- i. Tanbark and clumps thereof for burning;
- ii. Firewood chunks and chips and charcoal;
- iii. Sawdust;

²² One hectoliter is equivalent to 100 liters.

- iv. Building stones, regardless of cut;²³
- v. Tiles and bricks;
- vi. Common lime and gypsum.

Article III — The aforementioned offices shall accept free of any federal entry fee or custom the following products originating from the Free Zone:

- i. Fresh vegetables and garden plants
- ii. Fresh fruits;
- iii. Potatoes;
- iv. Cereal grains and canola, in sheaves;
- v. Bran;
- vi. Straw;
- vii. Hay;
- viii. Freshwater fish;
- ix. Poultry, living and dead;
- x. Fresh eggs;
- xi. Milk;

²³ Also known as *pierres naturelles*, which are construction stones quarried directly from where they originate and used in their natural forms. They are distinguished from manufactured stones such as bricks or cinderblocks.

xii. Fresh butter.

The products mentioned in the current article shall not be classified as duty-free unless they have the qualities of market supplies. They shall, as a result, need to be transported in Switzerland by vendors themselves, whether done on back, by cart, or by boat or rail, as shipments accompanied with waybills or consignment notes are excluded from customs duty exemptions in Switzerland.

The weight of each import of the aforementioned products shall not exceed 5 metric quintals, except fresh butter, for which the maximum weight is fixed at 5 kilograms duty-free.²⁴

It is, thus, understood, that foodstuffs intended for entry into the market supply of Geneva shall not be subject to a ban leaving the Free Zone.

Article IV — The aforementioned federal toll booths shall admit, moreover, annually, subject a quarter of the current or future federal entry fee, 250 metric quintals (500 French quintals) of

²⁴ One metric quintal is equivalent to 100 kilograms.

untreated hides, and 100 metric quintals (200 French quintals) of the tanned hides of calves, sheep, and goats.²⁵

Article V — The tanneries located in the Free Zone shall be permitted to annually export from Switzerland, free of any federal exit fee or custom, 600 untreated hides (unshorn/unshaven) of steers or cows, and 6,000 untreated hides of calves, sheep, and goats.

Article VI — The duty-free goods may be introduced in Switzerland by all toll booths and all collection stations at the border of the Canton of Geneva. These goods shall follow toll roads and must be declared at the aforementioned booths or stations.

The goods subject to a quarter of the federal entry fee, as is noted above in the terms of Article IV, as well as products exported duty-free as is noted in the terms of Article V, may only enter and exit Switzerland through toll booths at the border of the Canton of Geneva, except for collection stations.

²⁵ The French quintal is a traditional unit of mass that was approximately equal to one hundred pounds. The modern quintal is referred to as the metric quintal and has been updated to equal one hundred kilograms.

The Federal Administration of Tolls and Billing shall deliver, for goods designated in Articles I, IV, and V above, credit notes valid from 1 January to 31 December each year, only up to the fixed quantities as noted in the aforementioned articles.

Each inhabitant of the Free Zone shall be allowed, without discrimination based on nationality, to enjoy the benefits of the five previous articles, by means of monitoring and inspection, such as certificates of origin, etc., deemed necessary by the Federal Administration of Tolls and Billing, to guarantee the origin of imported goods.

Article VII — Goods transported between two points on the territory of one of the contracting states, which shall pass through the territory of the other state, shall remain exempt from all duties. This exemption does not include taxes collected in the two countries, such as certificate fees, stamp fees, inspection fees, etc.

Article VIII — The customs office located in Annecy shall be open to the importation of all non-prohibited goods.

Article IX — The two governments commit to take jointly, in as little time as possible, the proper measures to prevent the invasion and spreading of phylloxera in the Free Zone of Haute-Savoie.²⁶

Article X — The results of the agreement shall take effect on 1 January 1883.

Article XI — The agreement shall remain in place during a period of thirty years, starting from the date of its implementation.

At the end of the aforementioned period of thirty years, the agreement shall be renewed on a yearly basis, unless the termination thereof is called for twelve months prior.

Notwithstanding, if, before or after this period of thirty years, the Free Zone is terminated or modified, whether in terms of its territorial expanse or the current customs regime, the Swiss federal government shall have the right to nullify the agreement from the day these measure concerning the Free Zone come to force. Should

²⁶ In the years preceding the conclusion of this series of treaties, there was an agricultural catastrophe known as the Great French Wine Blight that devastated the vineyards of France and other European countries caused by *phylloxera*. The effects of the blight were lessened and eventually resolved through the use of grafting, a process in which the tissues of American *phylloxera*-resistant grape plants were combined with those of the affected French plants.

this be the course of action taken on the part of Switzerland, the French federal government shall be notified twelve months in advance before its application.

Article XII — This agreement shall be ratified, and the ratifications shall be exchanged in Paris, within a period of one year, concurrently with the ratifications of the agreements concerning railroad connections from Morteau to Le Locle, from Annemasse to Geneva, from Bossey-Veyrier to Geneva, and from Thonon to Le Bouveret.

In witness whereof, the respective plenipotentiaries have signed and stamped the present agreement with their seals.

Concluded in Paris, 14 June 1881.

(L.S.) Ch. Jagerschmidt.²⁷

(L.S.) Kern.

(L.S.) Marie.

²⁷ The abbreviation *L.S.* stands for *locus sigilli*, which signifies the location where a seal would be affixed to the document. This abbreviation is rarely seen in the modern day due to the stark decrease in the use of seals.

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Agreement

regarding

Railroad Connections between Annemasse and Geneva

The President of the French Republic and the Swiss Federal Council, equally motivated by the desire to provide to the citizens of both countries new modes of transportation, have resolved to finalize an agreement for installation and construction of a new railway directly between Geneva and Annemasse, and have named the following as plenipotentiaries:

The President of the French Republic, Sir Charles Jagerschmidt, First-Class Minister Plenipotentiary, Officer of the Legion of Honor, etc., etc.,

And the Swiss Federal Council, Sir Jean-Conrad Kern, Envoy Extraordinary and Ambassador of the Swiss Confederation to the French Republic;

Who, after having communicated with one another their full power, found to be correct and proper, agreed to the following provisions:

Article I — The government of the French Republic is committed to ensuring the construction of a railway from Annemasse to the Swiss border, in the direction of Geneva.

On its side, the federal government of Switzerland is committed, in the confines of the concession granted by it to the Republic and the Canton of Geneva, to ensuring the construction of a railway from Geneva to the French border, in the direction of Annemasse.

The works shall be constructed on both territories, so that the line be opened for operation by the deadline set by the Annemasse-Geneva concession.

Article II — The connection of the two sections at the Franco-Swiss border shall be carried out in accordance with the plans discussed in the official report of the conference held in Geneva on 26 June 1880, which, in addition to the aforementioned report, were approved by the high contracting parties.

Article III — Each of the two governments shall adopt and approve projects related to the construction of the two sections of the railway in each respective country.

The width of the track between the two interior rails shall be no less than 1.34 meters and no more than 1.35 meters in both countries.

The amount of space between locomotives and their adjoining cars shall be established to ensure they comply with these dimensions on operational railways in both countries.

Land shall be purchased for two tracks, and bridges and earthworks shall only be completed for one, singular track, a second of which is not to be completed, unless operational requirements necessitate additional construction.²⁸

In case where the second route should be constructed, the width of the space between the outer edges of the rails of the two routes shall be two meters.

²⁸ This clause exists to reduce costs and increase efficiency on this line, only one of each project, bridges and earthworks (tunnels), shall be completed, unless specific circumstances require the construction of the second track. Bridges and tunnels for this project were projected to be extremely costly as the trains would have to traverse gorges and tunnel directly through mountains; however, a singular tunnel or bridge where necessary was more cost-effective than planning a route that bypassed geographical barriers.

On open track, curves shall have at least 300 meters in radius, and gradients shall not exceed 0.02 meters per meter.

Article IV — The two governments shall attempt to ensure that the sections of track between the border stations of the French and Swiss railways, located partly on French and partly on Swiss territory, be operated by a single company or administration.

They shall allow the companies or administrations responsible for the operation of the lines in the two territories to come to an agreement about the issue. In the event of an agreement in this respect, which shall be subject to the approval of the high contracting parties, the two governments reserve the right to agree later, with regard to this operation, by correspondence.

Article V — All administrative bodies to which joint operation rights shall be entrusted for the French and Swiss railways shall be required to appoint, both in France and in Switzerland, a special agent and an address for service where orders, communications, and requisitions that the respective governments and competent parties have to send to this administration shall be addressed.

This selection of an address for service shall have legal jurisdiction. Civil proceedings brought against the company responsible for the operation of the railroad, due to events occurring on the territory of one of the two countries between border stations, may be brought to court under the elected jurisdiction as chosen in each respective country.

Article VI — The two governments are committed to the drafting of policing protocols for this railroad, prioritizing uniformity in their implementation.

Individuals legally convicted of crimes or misdemeanors under common law and fines for violations of customs regulations or tolls shall not be employed between junction stations. There is, moreover, no infringement upon rights of legal sovereignty belonging to each of the states on its territory.

Article VII — The two governments mutually agree that for stations that this railway shall connect, along with those already existing in the two countries, the departures and arrivals of the most direct trains will be harmonized as much as possible. They reserve the right to determine the minimum number of trains to be

designated for passenger travel which can never, in any case, be reduced below three trains per day in both directions.

Article VIII — Along the entirety of the railway, there shall be no difference between residents of either country in terms of price and duration of journey. Travelers and merchandise passing from country to the other shall not be treated, on the territory that they enter, less favorably than travelers or merchandise traveling fully within the borders of a country.

Article IX — The two governments mutually acknowledge that the formalities to be completed, if necessary, for the verification of the passports and for the police concerning travelers, shall be settled in the most favorable manner possible pursuant to the law in each of the countries.

Article X — To encourage use of the railway, the two governments shall ease customs formalities for travelers, their luggage, and transported goods, in compliance with the laws and the general regulations of the two states; especially to the extent that such easing has already or will be granted in the future

Luggage and merchandise transported between the two countries destined for stations other than those located at the border, shall be allowed to bypass customs inspections in the border stations and pass directly to its destination, provided that there is a customs office at the destination, that it complies with general laws and regulations, and as long as, in certain cases, according to these rules and regulations, the inspection is not deemed necessary otherwise.

The two respective governments mutually grant the right to have traveling convoys escorted by their employees between the border stations of the two countries.

Article XI — The railway between Geneva and Annemasse shall be considered as an open international route for imports, exports, and transportation of non-prohibited goods, as well as the transportation of travelers, day and night for both countries, without distinction between working days and holidays, concerning trains anticipated on the timetable.

Article XII — The companies or administrations responsible for the operation of the railroad shall be held, concerning postal service between and in border stations, to the following standards:

- i. Transport free of charge, with each passenger train, the mail coaches of each of the two governments with their service equipment, letters, and staff;
- ii. Transport free of charge, given that the government does not make use of the service mentioned in the previous clause, the mail trunks and couriers who escort the trunks, in one or two compartments of an ordinary second-class car;
- iii. Grant to employees of the Postal Service free entry into car coaches designated for postal activities and to allow them the ability to take and deliver letters and packages;
- iv. Make available to the Postal Service of both countries, in stations to be designated for this purpose, a location at which buildings or hangars necessary for postal duties can be performed for

which the rental price shall be fixed on a case-by-case basis or by experts;

- v. Establish as much conformity as possible between the operation of the railway and the Postal Service, which shall be deemed necessary by the two governments to obtain transportation as regularly and promptly as possible.

The Postal Services of the two countries shall mutually agree on the extent of postal service between border stations.

Article XIII — The two governments consent to the construction of electromagnetic telegraphs for the operation of the railroad.

Electromagnetic telegraphs for public and international service may also be established along the entirety of the railway, both to be cared for by the government of the territory upon which it is constructed.

The French and Swiss administrations shall be entitled to the free travel of staff for service and equipment necessary to the establishment, maintenance, and monitoring of the entirety of the lines between the stations closest to the border.

Article XIV — The agreement concluded at the present convention shall be ratified, and the ratifications shall be exchanged in Paris, within a period of one year or earlier, if possible.

In witness whereof, the respective plenipotentiaries have signed the present agreement and have adorned it with their seals.

Concluded in Paris, 14 June 1881.

(L.S.) Ch. Jagerschmidt.

(L.S.) Kern.

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Agreement
regarding
Railroad Connections between Besançon and Le Locle
By the way of Morteau and Le Col-des-Roches.²⁹

The President of the French Republic and the Swiss Federal Council,
equally motivated by the desire to provide to the citizens of both countries new
modes of transportation, have resolved to finalize an agreement for the installation
and construction of a new railway directly between Besançon and Le Locle, and
have named the following as plenipotentiaries:

The President of the French Republic, Sir Charles Jagerschmidt, First-
Class Minister Plenipotentiary, Officer of the Legion of Honor, etc., etc.,

And the Swiss Federal Council, Sir Jean-Conrad Kern, Envoy
Extraordinary and Ambassador of the Swiss Confederation to the French
Republic;

²⁹ Morteau is a small commune found in the east of France. *Le Col-des-Roches* refers to a mountain pass that connects France and Switzerland.

Who, after having communicated with one another their full power, found to be correct and proper, agreed to the following provisions:

Article I — The government of the French Republic is committed to ensuring the construction of a railway from Besançon to Morteau and to the Swiss border, in the direction of Le Locle.

On its side, the federal government of Switzerland is committed, in the confines of the concession granted by it to the Railroad Company of Bernese Jura, to ensuring the construction of a railway from Le Locle to the French border, in the direction of Morteau.

The works shall be constructed on the part of each of the two territories, such that the line be opened for operation by 1 July 1883.

Article II — The connection of the two sections at the Franco-Swiss border shall be carried out in accordance with the plans discussed in the official report of the conference held in Bern on 21 February 1881, which, in addition to the aforementioned report, were approved by the high contracting parties.

The French government, at its own expense, shall construct the tunnel at Le Col-des-Roches until 15 meters beyond the border.

Article III — Each of the two governments shall adopt and approve projects related to the construction of the two sections of the railway in each respective country.

The width of the track between the two interior rails shall be no less than 1.34 meters and no more than 1.35 meters in both countries.

The amount of space between locomotives and their adjoining cars shall be established in such a manner that there be an agreement adopted regarding these dimensions on operational railways in both countries.

Article IV — The two governments shall attempt to ensure that the sections of track between the border stations of the French and Swiss railways, located on French and Swiss territory, be operated by a single company or administration.

They shall allow the companies or administrations responsible for the operation of the lines in the two territories to come to an agreement about the issue. In the event of an agreement in this

respect, an agreement which shall be subject to the approval of the high contracting parties, the two governments reserve the right to agree later, with regard to this operation, by correspondence.

Article V — All administrative bodies to which joint operation rights shall be entrusted for the French and Swiss railways shall be required to appoint, both in France and in Switzerland, a special agent and a place of service where orders, communications, and requisitions that the respective governments and competent parties have to send to this administration shall be addressed.

The address for service shall determine legal jurisdiction. Civil proceedings brought against the company responsible for the operation of the railroad, due to events occurring on the territory of one of the two countries between border stations, may be brought to court of the elected jurisdiction as chosen in each respective country.

Article VI — The two governments are committed to the drafting of policing protocols for this railroad, prioritizing uniformity in their implementation.

Individuals legally convicted of crimes or misdemeanors under common law and fines for violations of customs regulations or tolls shall not be employed between junction stations. There is, moreover, no infringement upon rights of legal sovereignty belonging to each of the states on its territory.

Article VII — The two governments mutually agree that at the stations that this railway will connect to those already existing in the two countries the departures and arrivals of the most direct trains will be harmonized as much as possible. They reserve the right to determine the minimum number of trains to be designated for passenger travel which can never, in any case, be reduced below three trains per day in both directions.

Article VIII — Along the entirety of the railway, there shall be no difference between residents of either country in regard to price and duration of journey. Travelers and merchandise passing from one country to the other shall not be treated, on the territory in which they enter, less favorably than travelers or merchandise traveling fully within the borders of a country.

Article IX — The two governments mutually acknowledge that the formalities to be completed, if necessary, for the verification of the passports and for the police concerning travelers, shall be settled in the most favorable manner possible by the law in each of the countries.

Article X — To encourage use of the railway, the two governments shall ease customs formalities for travelers, their luggage, and transported goods, in compliance with the customs laws and the general regulations of the two states; especially to the extent that such easing has already or will be granted in the future at any other railway crossing the border of one of the two states.

Luggage and merchandise transported between the two countries destined for stations other than those located at the border shall be allowed to bypass customs inspections in the border stations and pass directly to its destination, provided that there is a customs office at the destination, that it complies with general laws and regulations, and as long as, in certain cases, according to these rules and regulations, the inspection is not deemed necessary otherwise.

The two respective governments mutually grant the right to have traveling convoys escorted by their employees between the border stations of the two countries.

Article XI — The railway between Le Locle and Morteau shall be considered as an open international route for imports, exports, and transportation of non-prohibited goods, as well as the transportation of travelers, day and night for both countries, without distinction between working days and holidays, concerning trains anticipated on the timetable.

Article XII — The companies or administrations responsible for the operation of the railroad shall be held, concerning postal service between and in border stations, to the following standards:

- i. Transport free of charge, for each passenger train, the mail coaches of each of the two governments with their service equipment, letters, and staff;
- ii. Transport free of charge, as long as the government does not make use of the service mentioned in the previous clause, the mail trunks and couriers who

escort the trunks, in one or two compartments of an ordinary second-class car;

- iii. Grant to employees of the Postal Service free entry into car coaches designated for postal activities and to allow them to take and deliver letters and packages;
- iv. Make available to the Postal Service of both countries, in stations to be designated for this purpose, a location where buildings or hangars necessary for postal duties can be established for which the rental price shall be fixed on a case-by-case basis or by experts;
- v. Establish as much conformity as possible between the operation of the railway and the Postal Service, which shall/shall be deemed necessary by the two governments to obtain transportation as regular and prompt as possible.

The Postal Services of the two countries shall mutually agree on the use of postal service between border stations.

Article XIII — The two governments consent to the construction of electromagnetic telegraphs for the operation of the railroad.

Electromagnetic telegraphs for public and international service may also be established along the entirety of the railway, both to be cared for by the government of the territory upon which it is constructed.

The French and Swiss administrations shall be entitled to the free travel of staff for service and equipment necessary for the establishment, maintenance, and monitoring of the entirety of the lines between the stations closest to the border.

Article XIV — This agreement shall be ratified, and the ratifications shall be exchanged in Paris, within a period of one year or earlier, if possible.

In witness whereof, the respective plenipotentiaries have signed and stamped the present agreement.

Concluded in Paris, 14 June 1881.

(L.S.) Ch. Jagerschmidt.

(L.S.) Kern.

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Closing Protocol

Upon the signature of the agreements concerning the railroads between Morteau and Le Locle and Annemasse to Geneva, as well as the customs regime between the Canton of Geneva and the Free Zone of Haute-Savoie, the undersigned Plenipotentiaries, recognizing the current impossibility to conclude agreements regarding the railroads from Bossey-Veyrier to Geneva and from Thonon to Bouveret by the way of Saint-Gingolph, for which technical studies have yet to be completed, have agreed to the following:

- i. The government of the French Republic and the Federal Government of Switzerland are committed to the negotiation, in the shortest amount of time possible, of the agreements concerning railroad connections between the Geneva railroad station to the Bossey-Veyrier station, on the Annemasse-Colonges railway, as well as the railway between Thonon and Bouveret by the way of Saint-Gingolph.
- ii. For this purpose, mixed commissions of engineers from both countries shall be immediately staffed to settle upon, subject to the approval of the governments, the technical conditions of these two

railway connections, in such a way that the Plenipotentiaries of the two countries, responsible for the finalization and signing of the agreements to come, shall be able to meet again within the span of three months from the date of the current protocol.

- iii. The ratifications of the lines from Bossey-Veyrier to Geneva and from Thonon to Bouveret shall be exchanged at the same time as those of the agreements regarding the lines from Morteau to Le Locle, from Annemasse to Geneva, as well as the customs regime between the Canton of Geneva and the Free Zone of Haute-Savoie.

In witness whereof, the respective plenipotentiaries have signed and stamped the present protocol.

Concluded in Paris, 14 June 1881.

(L.S.) Ch. Jagerschmidt.

(L.S.) Kern.

**V. AGREEMENT BETWEEN FRANCE AND SWITZERLAND FOR THE
MUTUAL SECURITY OF COPYRIGHTS / *CONVENTION ENTRE LA FRANCE
ET LA CONFÉRENCE SUISSE POUR LA GARANTIE RÉCIPROQUE DE LA
PROPRIÉTÉ LITTÉRAIRE ET ARTISTIQUE***

This treaty specifically deals with the ensured guarantee of copyright protections to owners of literary and artistic works in both countries. With the updating of the customs regime in the free zone and Geneva, plans for construction of a new railroad, and the incentivization of trade, other treaties had to be drafted to ensure that the rights of proprietors and owners of properties that could be counterfeited were protected. This treaty sets forth what protections exist for authors or creators of works in both countries and what formal processes must be followed in order to receive these protections. Moreover, it covers what consequences exist for those who breach these protections.

Ministry of Foreign Affairs.

Agreement

Concluded on the 23rd of February 1882,

Between

France and the Swiss Confederation

For the Mutual Security

Of

Copyrights

Paris.

National Bureau of Printing.



1882.

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Agreement

Signed on the 23rd of February 1882,

Between

France and Switzerland,

For the Mutual Security

Of

Copyrights

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Agreement

Signed on the 23rd of February 1882,

Between

France and Switzerland,

For the Mutual Security

Of

Copyrights

The President of the French Republic and the Federal Council of the Swiss Confederation, equally motivated by the desire to ensure the mutual security of literary and artistic copyrights both in France and in Switzerland, have resolved to finalize an agreement for this very purpose, and have named the following as plenipotentiaries:

The President of the French Republic:

Sir Charles de Freycinet, Senator, President of the Council,
Minister of Foreign Affairs;³⁰

Sir Tirard, Deputy, Minister of Commerce;

Sir Maurice Rouvier, Deputy, Former Minister of Commerce and
Colonies;

And the Federal Council of the Swiss Confederation:

Sir Jean-Conrad Kern, Minister Plenipotentiary and Ambassador of the
Swiss Confederation to the French Republic;

Sir Charles Edouard Lardy, Doctor of Law, Counsellor of the Swiss
Legation in Paris;

Who, after having communicated with one another their full power, found to be
correct and proper, agreed to the following articles:

³⁰ Charles de Freycinet served several times as prime minister of France during the Third Republic.

Provisions Applicable in France

Article I — Creators of books, booklets, dramatic works or other writings, musical compositions or musical arrangements, sketches or illustrations, paintings, sculptures, engravings or etchings, lithographs, photographs, and of all other comparable literary or artistic works published for the first time in Switzerland shall enjoy the same protections of the law, those currently implemented or to be implemented, in France, and they shall have the same legal protections against any and all infringements upon their rights, only if this infringement is committed against authors or works published for the first time in the territory of the French Republic.

However, these benefits shall be ensured to the authors of the aforementioned works only as long as their rights are ensured in their respective countries, and the duration of these protections in France cannot exceed that of the duration of those granted to them in Switzerland.

The property of musical works includes pieces known as arrangements composed through the use of motifs taken from the same work.

All privileges or benefits that are or shall be granted by France to another country concerning copyrights, of which the definition has been noted in this article, shall be fully assumed as a right to Swiss citizens.

Article II — The publication of extracts or entire works that were first published in Switzerland is permitted in France, given that these publications in particular are suitable for teaching.

Article III — The enjoyment of the rights described in Article I is subject to the legal acquisition of copyright in Switzerland.

For books, booklets, dramatic works or other writings, musical compositions or musical arrangements, sketches or illustrations, paintings, sculptures, engravings or etchings, lithographs, photographs, and of all other comparable literary or artistic works published or released for the first time in Switzerland, exercising the right of property in France shall be subject to the prerequisite completion of registration in the latter country, which is to be carried out in Paris at the Ministry of the Interior.

Registration shall take place on the written declaration of the interested parties or their representatives, which may be sent either to the above Ministry or the Chancellery of the Ambassador of the French Republic in Bern.

The declaration must be made within three months following the publication of the work in Switzerland.

With regard to works that are published in installments, the period of three months shall not start until the date of the last installment.

Registration in the special registries kept for this purpose shall not entail the collection of any tax.

The interested parties shall receive an authentic certificate of registration; this certificate shall be issued free of charge, except if, where applicable, there is a cost for postage.

The certificate shall bear the date upon which the declaration took place; it shall be valid throughout the territory of the French Republic and shall note the exclusive right of property and reproduction, unless another person has a legally valid claim to it.

Article IV — The stipulations outlined in Article I shall apply equally in the performance and enactment of dramatic works or published musicals, either in their original languages or in translation, that are performed or enacted for the first time in Switzerland.³¹

³¹ French works that debut in Switzerland shall be given the same protections as those outlined in Article I.

Article V — Translations made of national or foreign works are expressly understood as equivalent to the original works. These translations shall enjoy, in this respect, the protections outlined in Article I, concerning their unauthorized reproduction in France. Nevertheless, it is well understood that the goal of the current article is to protect the translator in relation to the version he creates of the original work and not to confer the exclusive right of translation to the first translator of any work, written in a dead or living language, except for the case and limits provided for in the article below.

Article VI — The author of any work published in Switzerland shall solely enjoy, for a period of ten years, protection against the publication of any translation of the same work that is not authorized by him in the other country. This term of ten years shall commence on the day when the declaration of registration was carried out in accordance with Article III, under the following conditions:

- i. The original work shall be registered in France upon the declaration within a period of three months from the day of first publication in Switzerland, in accordance with the provisions of Article III;

- ii. The author must indicate, on the front of his work, the intention to reserve the right of translation;
- iii. It shall be necessary that the aforementioned authorized translation be published in its totality within a period of three years from the date of the original declaration as prescribed;
- iv. The translation must be published in one of the two countries and be, moreover, registered in compliance with the provisions of Article III.

For works published in installments, it shall suffice that the declaration of an author who intends to reserve the right of reproduction be expressed in the first installment.³²

Regarding the publication and the performances of dramatic works in translation, an author who wants to reserve the exclusive rights outlined in Article IV and this article must publish or perform the translated work in the three years that follow publishing or the performance of the original work.

³² This refers to works that were published as serials, meaning that parts from the larger work were published in smaller pieces known as installments.

Swiss authors shall enjoy in France, relative to the right of translation, the benefits and advantages that are or would be accorded to nationals.

The high contracting parties further agree that Swiss authors or their beneficiaries shall have, in all cases, the ability to invoke the benefit of most-favored-nation status, concerning the right of translation of their works and the right to perform in translation of dramatic works.

The rights conferred by the present article are subordinate to the conditions imposed on the author of a work by Article I and Article III of this agreement.

Article VII — When the French author of a work specified in Article I has ceded his right to publication or reproduction to a Swiss publisher, provided that published copies or editions of this cannot be sold in France, these copies or editions will be considered and processed in this country, if they are introduced, as illegal reproductions.

The works to which this provision is applicable must bear, in their titles and upon their covers, the words: “Edition prohibited in France (in Switzerland) and authorized for Switzerland (France) and abroad.”

Article VIII — Legal agents or assignees of authors, translators, composers, artists, painters, sculptors, engravers, lithographers, photographers, etc. shall enjoy, in all respects, the same rights that the present agreement grants to authors, translators, composers, artists, painters, sculptors, engravers, lithographers, and photographers.

Article IX — Regardless of the stipulations of Article I and Article V of the present agreement, articles taken from newspapers or anthologies published in Switzerland may be reproduced or translated in newspapers or anthologies in France, provided that the source from which the text is taken is indicated.

However, this ability does not extend to the reproduction of articles taken from newspapers or anthologies published in Switzerland when the author has formally declared in the newspaper or anthology itself or he makes it known that he prohibits the reproduction of his work. In no case may this prohibition apply to political articles or political discussion papers.

Article X — The introduction, export, sale, circulation, and exposition in France of works or objects of unauthorized reproduction, as defined in Articles I, IV, V, and VI, are prohibited, except for what is said in Article XI,

whether the unauthorized reproductions come from Switzerland or any foreign country.

Article XI — The government of France shall take, by means of administrative regulations, the necessary measures to prevent any difficulty caused by the possession and sale by publishers, printers, or French booksellers, reprints of works constituting the property of Swiss citizens that have yet to enter the public domain that were published or printed by them before the enforcement of this agreement.

Article XII — Books imported from Switzerland that are permitted by law shall be admitted into France, at entry and through direct or warehouse transit, by all offices currently open to them or that could be opened thereafter.

Article XIII — The provisions of the current agreement shall not prejudice the right of the French government to allow, monitor, or prohibit, by legislation or regulation, the circulation, performance, or exposition of any work or production in respect of which the competent authority would have to exercise such right.

The present agreement shall not infringe upon the right of the French government to prohibit the import of books that, according to interior laws

or stipulations signed with other powers, are or would be declared as counterfeit.

Article XIV — The manufacture and sale of instruments meant to mechanically reproduce pieces of music from the private sector shall not be considered as counterfeiting music in France.

Article XV — In the event of a violation of one of the preceding provisions, the counterfeit goods shall be seized, and tribunals would apply appropriate punishment determined by the law, in the same way as if the offense were committed to the detriment of a work or production of French origin.

Characteristics constituting counterfeiting shall be determined by French tribunals, according to legislation in effect in the territory of the Republic.

Provisions Applicable in Switzerland

Article XVI — The provisions previously mentioned in Articles I, II, III, V, VI, VII, VIII, IX, XI, XIII, XIV, and XV shall be equally enforced, by way of reciprocity, in Switzerland for the protection of property duly acquired in France, intellectual or artistic works, subject however to the provisions of Article XVIII below.

Article XVII — The competent courts in Switzerland, be they for civil matters or criminal law, shall apply, in all territory of the Confederation, to the benefit of the owners or their beneficiaries of literary or artistic works in France, the provisions of the preceding Article XVI and Articles XVIII through XXXIV that follow.

It is understood, subject to the guarantees stipulated in Article XXXIV, that these provisions may be replaced by legislation that the Swiss federal authorities could come to enact, in matters of copyright law, on the basis of the integration of foreigners into nationals.

Article XVIII — By way of derogation from Articles III and VI above, it shall suffice to ensure for all intellectual and artistic works and authorized translations the protection stipulated in Article I and the right of authors or

publishers of these works to be allowed before Swiss tribunals to pursue legal action against counterfeits, that the aforementioned authors or publishers justify their rights in France by providing a certificate issued by the *Bureau de la librairie* at the Ministry of Interior and legalized by the Swiss legation in Paris, that the work in question enjoys in France legal protection against counterfeiting or unlawful reproduction.³³

Article XIX — Creators of books, booklets, dramatic works or other writings, musical compositions or musical arrangements, sketches or illustrations, paintings, sculptures, engravings or etchings, lithographs, photographs, and of all other comparable literary or artistic works published for the first time in France shall, in Switzerland, enjoy, for the protection of their rights to property, the guarantees stipulated in the following articles.

Article XX — The authors of dramatic works or musicals published or performed for the first time in France shall enjoy, in Switzerland, compared to the performance and enactment of their works, be they in their original languages or in translation, the same protection that the law grants or will

³³ The *Bureau de la librairie* refers to historical government office of the Royal Censure. After the revolution, this duty was passed on to the new French government. This entity was responsible for the approval and authorization of the publishing of works. They also granted the right of ownership to authors of the works in question, thereby giving them protection against counterfeiters.

subsequently grant in France to Swiss authors or composers for the performance and enactment of their works.

Royalties for plays and compositions shall be charged according to the agreement between the parties concerned.

Article XXI — The ownership right acquired in Switzerland, in accordance with the provisions of the preceding articles, of the literary and artistic works mentioned in Article XIX, shall belong to the author all of his life, and if he is to die before the end of the thirty year period after the first publication, this right shall belong to his successors for the rest of this period. If the publication does not take place during the lifetime of the author, his heirs or beneficiaries shall have the exclusive privilege to publish the work within six years after the death of the author. If this privilege is invoked, the protections shall last for a period of thirty years from the date of death. Nevertheless, the duration of the ownership right of translations is reduced to a period ten years, in accordance with the provision outlined in Article VI.

Article XXII — All editions of literary or artistic work mentioned in Article XIX printed or engraved with no regard for the provisions outlined in the current agreement shall be deemed counterfeit.

Article XXIII — Any individual who knowingly sold, offered for sale, or introduced counterfeit goods from whatever country they come from in the territory of Switzerland shall be punished with penalties associated with counterfeiting.

Article XXIV — All counterfeiters shall be punished with a fine no less than one hundred francs and not to exceed two thousand francs; and the seller thereof a fine no less than twenty-five francs and not to exceed five hundred francs; moreover, they shall be ordered to pay the owner damages as compensation for the damage done to him.

The confiscation of the counterfeit item shall apply to the counterfeiter just as it shall to the introducer and the seller. In all cases, the court may, upon the request of the plaintiff, order that the counterfeit objects be returned to him, in deduction of the damages allocated to him.

Article XXV — In the cases provided for in the preceding articles, the proceeds of confiscation shall be given to the owner to compensate for the same amount of damages that he suffered; the excess of his indemnity will be settled through traditional means.

Article XXVI — The owner of a literary or artistic work may carry on, by order of the competent authority, the designation or detailed description, with or

without seizure of the products that he claims to be counterfeit to his detriment, in contravention to the provisions of the current agreement.

The order shall be made upon request and upon presentation of the written report certifying the submission of the literary or artistic work. It shall include, if applicable, the appointment of an expert.

When seizure is requested, the judge may require the claimant to pay a security deposit before proceeding.

A copy of the order and the deed of the submission of the deposit shall be left with the holder of the described or seized items, if necessary, all under penalty of being declared null and void plus damages.

Article XXVII — Failure by the applicant to provide the description or seizure within a fortnight shall result in the voiding of the request, with no claim or right to damages, if any.

Article XXVIII — Prosecution before Swiss tribunals for crimes defined in this agreement shall only take place at the request of the injured party or its beneficiaries.

Article XXIX — Actions related to the counterfeiting of literary or artistic works in Switzerland shall be brought before the court of the district in which the

counterfeiting or illegal sale took place. Civil actions shall be judged as summary proceedings.

Article XXX — The penalties established by the current agreement may not be combined. Only the most severe punishment shall be ordered for all of the events prior to the first act of prosecution.

Article XXXI — The tribunal may order the posting of the judgement in the venue it determines and its publication, in its entirety or by extracts, in designated newspapers, all at the expense of the convicted person.

Article XXXII — The penalties carried by the above articles may be doubled in the case of recidivism. Recidivism is constituted by the repeated conviction of a defendant for an offense of the same nature, within five years of the first offense.

Article XXXIII — The courts may, in extenuating circumstances, reduce the penalties given to the guilty party below the prescribed minimum and even substitute a fine in the place of imprisonment. In no case can the penalties fall below those of the police court.³⁴

³⁴ Police court refers to an inferior court that has jurisdiction over minor offenses.

Article XXXIV — The current agreement shall go into effect on 16 May 1882 and shall remain in effect until 1 February 1892. In the case where neither of the high contracting parties notifies the other one year before the end of this term of its intention to end its term, the agreement shall remain in effect for another year from the date upon which one of the two parties terminates it.

Nevertheless, each of the high contracting parties reserves the right to terminate the current agreement before 1 February 1892, if, in the territory of either party, the legislation comes to be modified in such a way that requires revision; this termination shall only take effect twelve months after the date of its notification.

Article XXXV — The current agreement shall be ratified, and the ratifications shall be exchanged in Paris before 12 May 1882, simultaneously with those of the Treaty of Commerce, concluded on today's date between the two high contracting parties.

In witness whereof, the respective plenipotentiaries have signed and stamped the present protocol.

Done in duplicate, in Paris, on 23 February 1882.

(L.S.) C. de Freycinet.

(L.S.) Kern.

(L.S.) P. Tirard.

(L.S.) Lardy.

(L.S.) M. Rouvier.

**VI. AGREEMENT BETWEEN FRANCE AND SWITZERLAND FOR THE
MUTUAL SECURITY OF TRADEMARKS, TRADING NAMES, INDUSTRIAL
DESIGNS, AND INDUSTRIAL MODELS / *CONVENTION ENTRE LA FRANCE
ET LA SUISSE POUR LA GARANTIE RÉCIPROQUE DES MARQUES DE
FABRIQUE ET DE COMMERCE, DES NOMS COMMERCIAUX, DES DESSINS
ET DES MODÈLES INDUSTRIELS***

This treaty, much like the previous, concerns the rights and protections of owners of trademarks, trade names, and industrial designs and models. Trade names and trademarks refer to the protection of a company's name under which it conducts business, its slogans, its logos, or specific services. This treaty also protects industrial designs and models. These can be equated to architectural sketches or product overviews and schematics which feature the external configuration of an object. Owners of any of these are able to apply for these protections in both France and Switzerland. This treaty is another extension of the series of treaties necessitated by expanded economic relations between Geneva and France.

Ministry of Foreign Affairs.

Agreement

France and the Swiss Confederation

Concluded 23 February 1882.

For the Mutual Security

Of

Trademarks, Trade Names, Industrial Designs, and Industrial Models



Paris.

National Bureau of Printing.

1882.

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Agreement
Between
France and the Swiss Confederation
Concluded 23 February 1882.
For the Mutual Security
Of
Trademarks, Trade Names, Industrial Designs, and Industrial Models

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Agreement
Between
France and the Swiss Confederation
Concluded 23 February 1882.
For the Mutual Security
Of
Trademarks, Trade Names, Industrial Designs, and Industrial Models

The President of the French Republic and the Federal Council of the Swiss Confederation, equally motivated by the desire to ensure the mutual security of trademarks, trade names, industrial designs, and industrial models both in France and in Switzerland, have resolved to finalize an agreement for this very purpose, and have named the following as plenipotentiaries:

The President of the French Republic:

Sir Charles de Freycinet, Senator, President of the Council,
Minister of Foreign Affairs;

Sir Tirard, Deputy, Minister of Commerce;

Sir Maurice Rouvier, Deputy, Former Minister of Commerce and Colonies;

And the Federal Council of the Swiss Confederation:

Sir Jean-Conrad Kern, Minister Plenipotentiary and Ambassador of the Swiss Confederation to the French Republic;

Sir Charles Edouard Lardy, Doctor of Law, Member of the Swiss Legation in Paris;

Who, after having communicated with one another their full power, found to be correct and proper, agreed to the following articles:

Trademarks, Trade Names, and Company Names

Article I — The citizens of each of the two contracting states shall mutually enjoy the same protection granted to nationals, concerning ownership of trademarks, on the condition that they meet the requirements prescribed by the legislation of each respective country.

The high contracting parties shall inform one another about the necessary formalities and shall reserve the right to modify them, if deemed necessary.

Article II — Trademarks to which the preceding article applies are those which, in both countries, are legitimately acquired by manufacturers or traders who use them. The character of a French brand must be considered in Switzerland according to French law, just as the character of a Swiss brand must be tried in France according to Swiss federal law.

Article III — The citizens of one of the two contracting states shall equally enjoy, in the other state, the same protections as those enjoyed by nationals, concerning trade names and company names, without the obligation of registering them, regardless whether the trade name or company name is a part of a trademark.

Industrial Designs and Models

Provisions Applicable in France

Article IV — Swiss citizens shall enjoy the same protections as French nationals in France, concerning the ownership of industrial designs and models.

However, the duration of these protections shall not exceed a period of time as stipulated by Article X below.

If the industrial design or model belongs to the public domain in Switzerland, it cannot benefit from the exclusive protections provided in France.

The rights of Swiss nationals in France are not conditional upon the obligation to use the designs or models in the country.

Article V — Swiss citizens cannot claim sole ownership of a model or design if they have not filed a patent for a sketch or specimen at the administrative office of the Industrial Tribunal in Paris, which shall be responsible for transmitting to the appropriate councils those models or designs that it would not be authorized to keep.³⁵

There shall be a fee set at a maximum of one franc for the submission of each model or design.

All deeds of transfer of a design or model shall be registered for a fee of one franc.

³⁵ *Le conseil des prud'hommes des tissus* refers to the Labor Court of France, which deals with matters concerning labor or employment-related disputes. In this specific instance, one would invoke the court's power over matters concerning manufacturing ownership and proprietorship.

For submissions as well as for transfers, the fixed tax does not include any other fees.

Article VI — In the case of any infringement upon the guaranteed rights as outlined in the two articles above, seizure of the counterfeit objects shall be carried out, and the courts shall apply appropriate penalties, as determined by the law in the same manner as they would for a French model or design.

The characteristics constituting counterfeiting shall be determined by French tribunals according to the legislation in place in the territory of the French Republic.

Provisions Applicable in France

Article VII — The provisions of the three preceding articles shall be equally applicable in Switzerland in the name of reciprocity, for the protection of the ownership of industrial models and drawings duly acquired in France.

Article VIII — The appropriate tribunals in Switzerland, be they for civil matters or criminal law, shall apply to the benefit of owners of industrial models and designs on the entire territory of the Swiss Confederation the provisions of the preceding and following articles.

It is understood, subject to the guarantees stipulated in Article XXIV, that these provisions can be replaced by those of the legislation which the appropriate authorities in the Swiss Confederation could come to enact regarding industrial property on the basis of the integration of foreigners into nationals.

Article IX — The submission prescribed in Article V for the acquisition of ownership of industrial models or designs shall occur at the Federal Department of Commerce and Agriculture in Bern.

Article X — The submission of industrial models or designs, done in compliance with Article IX, shall insure the property of the applicant for one, two, or three years following the declaration, starting from that date. However, the duration of this right can always be extended for another period of three years by the means of a new submission.

Article XI — The applicant can openly certify his submission by his signature or by his seal or stamp by sealed envelope. In the latter case, the envelope containing the design or specimen shall only be opened one year after the deed of submission.

After this term, the submitted designs or specimens may undergo inspection. The envelope may, at any time, be opened, be it by request of the applicant or, in the case of dispute, pursuant to a court order.

Article XII — The submission shall be considered null and void in the following cases:

- i. If the design or model is not new;
- ii. If, prior to the submission, products manufactured according to the design were sold.

Article XIII — Counterfeiting as well as the deliberate promulgation or importation of counterfeit designs or models shall be punished in accordance with the provision in the following article.

Article XIV — All counterfeiters shall be punished with a fine no lower than one hundred francs and not exceeding two thousand francs, and the seller with a fine no less than twenty-five francs and not to exceed five hundred francs; moreover, they shall be ordered to pay the owner damages as compensation for the wrong done to him.

The confiscation of the counterfeit objects shall be ruled against the counterfeiter just as it shall for the introducer and the seller. In all cases,

the court may, upon the request of the plaintiff, order that the counterfeit objects be returned to him, in deduction of the damages allocated to him.

Article XV — The confiscation of counterfeit products, designs, or models may, even in the case of acquittal, be ordered by the court, as well as the confiscation of the instruments, tools, or utensils used specifically for the perpetration of the crime.

Article XVI — The owner of an industrial model or design may carry on, by order of the competent authority, the designation or detailed description, with or without seizure of the products that he claims to be counterfeit to his detriment, in contravention to the provisions of the current agreement.

The order shall be made upon request and upon presentation of the written report certifying the submission of the literary or artistic work. It shall include, if applicable, the appointment of an expert.

When seizure is requested, the judge may require the claimant to pay a security deposit before proceeding.

A copy of the order and the deed of the submission of the deposit shall be left with the holder of the described or seized items, if necessary, all under penalty of being declared null and void plus damages.

Article XVII — Failure by the applicant to provide the description or seizure within a fortnight shall result in the voiding of the request, with no claim or right to damages, if any.

Article XVIII — Prosecution before Swiss tribunals for crimes defined in this agreement shall only take place at the request of the injured party or its beneficiaries.

Article XIX — Actions related to the counterfeiting of literary or artistic works in Switzerland shall be brought before the court of the district in which the counterfeiting or illegal sale took place. Civil actions shall be judged as summary matters.

Article XX — The penalties established by the current agreement are not cumulative. Only the most severe punishment shall be ordered for all of the events prior to the first act of prosecution.

Article XXI — The tribunal may order the posting of the judgement in the venue it determines and its publication, in its entirety or by extracts, in designated newspapers, all at the expense of the convicted person.

Article XXII — The penalties carried by the above articles may be doubled in the case of recidivism. Recidivism is constituted by the repeated conviction of

a defendant for an offense of the same nature, within five years of the first offense.

Article XXIII — The courts may, in extenuating circumstances, reduce the penalties given to the guilty party below the prescribed minimum and even substitute a fine in the place of imprisonment. In no case can the penalties fall below those of the police court.

Article XXIV — The high contracting parties have agreed to revise the above articles, Articles IV through Article XXIII, if new legislation regarding models or designs in either of the two countries makes such action desirable or necessary. However, it is understood that the stipulations of the aforementioned articles shall continue to remain obligatory for both countries until they are modified on a common accord.

If the guarantees currently granted in France for the protection of ownership of industrial designs or models comes to be modified during the duration of the current agreement, the Swiss Federal Government would be authorized to replace the provisions of Articles IV through Article XXIII above with new provisions decreed by the French legislation

Article XXV — The current agreement shall come into effect on 16 May 1882 and shall remain in effect until 1 February 1892. In the event that neither

of the high contracting parties notifies the other one year before the end of this term of its intention to end its term, the agreement shall remain in effect for another year from the date upon which one of the two parties terminates it.

It shall be ratified, and the ratifications shall be exchanged in Paris before 12 May 1882, simultaneously with those of the Treaty of Commerce, concluded on today's date.

In witness whereof, the respective plenipotentiaries have signed and stamped the present protocol.

Done in duplicate, in Paris, on 23 February 1882.

(L.S.) C. de Freycinet.

(L.S.) Kern.

(L.S.) P. Tirard.

(L.S.) Lardy.

(L.S.) M. Rouvier.

**VII. TREATY BETWEEN FRANCE AND SWITZERLAND ON THE SETTLING
OF FRENCH CITIZENS IN SWITZERLAND AND SWISS CITIZENS IN
FRANCE / *TRAITÉ ENTRE LA FRANCE ET LA SUISSE, SUR
L'ÉTABLISSEMENT DES FRANÇAIS EN SUISSE, ET DES SUISSES EN
FRANCE***

The final treaty of this series concerns the rights of French citizens in Switzerland and Swiss citizens in France. The original railroad treaty contained provisions that called for a minimum number of passenger journeys to be made per day on the constructed lines. With individuals moving as well as goods, there was a necessity to ensure that the rights of individuals outside of their respective countries, either France or Switzerland, would be mutually protected in both places. This agreement outlines what rights continue to apply in the other country and what laws or regulations shall not apply to nationals outside of their respective homelands.

Ministry of Foreign Affairs.

Treaty

Concluded 23 February 1882.

Between France and the Swiss Confederation

On the Settlement of French Citizens in Switzerland

And the Settlement of Swiss Citizens in France



Paris.

National Bureau of Printing.

1882.

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Treaty

Signed 23 February 1882.

Between France and the Swiss Confederation

On the Settlement of French Citizens in Switzerland

And the Settlement of Swiss Citizens in France

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Treaty

Signed 23 February 1882.

Between France and the Swiss Confederation

On the Settlement of French Citizens in Switzerland

And the Settlement of Swiss Citizens in France

The President of the French Republic and the Federal Council of the Swiss Confederation, equally motivated by the desire to ensure the mutual security of trademarks, trading names, industrial designs, and industrial models both in France and in Switzerland, have resolved to finalize an agreement for this very purpose, and have named the following as plenipotentiaries:

The President of the French Republic:

Sir Charles de Freycinet, Senator, President of the Council,
Minister of Foreign Affairs;

Sir Tirard, Deputy, Minister of Commerce;

Sir Maurice Rouvier, Deputy, Former Minister of Commerce and Colonies;

And the Federal Council of the Swiss Confederation:

Sir Jean-Conrad Kern, Minister Plenipotentiary and Ambassador of the Swiss Confederation to the French Republic;

Sir Charles Edouard Lardy, Doctor of Law, Member of the Swiss Legation in Paris;

Who, after having communicated with one another their full power, found to be correct and proper, agreed to the following articles:

Article I — French citizens shall be received in every canton of the Swiss Confederation, relative to their people and their property, in the same manner in which nationals from other cantons are and shall be in the future. Hence, they may come, go, and temporarily stay in Switzerland, in accordance with any and all laws and police regulations. All types of industry et commerce allowed to nationals from the many cantons of the Swiss Confederation shall be also accorded to French nationals, without demanding or imposing any financial or costly condition.

Article II — In order to take up residence in or to settle in Switzerland, French citizens must be equipped with a deed of registration stating their nationality, which shall be delivered by the Embassy of the French Republic or by consulates or vice-consulates of France instituted in Switzerland.

Article III — In France, Swiss citizens shall enjoy the same rights and benefits that are outlined in Article I above, which assures the same protection to the French in Switzerland.

Article IV — Nationals from one of the two states who take up residence in the other shall not be affected by the military laws of the country in which they reside. However, they shall remain subject to those of their homeland.³⁶

They shall also be exempt from all service, be that service in the national guard or local militias.

Article V — Nationals from one of the two states who take up residence in the other and who find themselves in the process of deportation due to a legal

³⁶ This clause refers to laws that might make military service obligatory for specific individuals in the other country. Both France and Switzerland had conscription systems and laws in place at the time, and this clause exempts these laws from affecting nationals of the other country.

sentence or according to the laws or regulations on morality police and begging, shall be received, at all times, together with their families, in the country from which they originated and where they retained their rights.

Article VI — All benefits that one of the contracting parties may have conceded or will concede to another power in the future concerning the settlement of citizens and the exercise of industrial professions shall be applicable, in the same manner and at the same time, to the other party, without it being necessary to conclude a special agreement for this purpose.³⁷

Article VII — The provisions of the current treaty are applicable to Algeria. Concerning other overseas French possessions, these same provisions shall equally apply there, on the terms and conditions of the special regulations to which these possessions are subject.

Article VIII — The current treaty shall come into effect on 16 May 1882 and shall remain in effect until 1 February 1892. In case neither of the high contracting parties notifies the other one year before the end of this term

³⁷ Meaning that if an agreement is made that guarantees certain rights or benefits between France or Switzerland and another parties, those same rights or benefits are to apply to the citizens of the non-contracting party. Moreover, there will be no need to call for a convention to rectify this difference.

of its intention to end its term, the agreement shall remain in effect for another year from the date upon which one of the two parties terminates it.

The present treaty shall be ratified, and the ratifications shall be exchanged in Paris before 12 May 1882, simultaneously with those of the Treaty of Commerce, concluded on today's date.

In witness whereof, the respective plenipotentiaries have signed and stamped the present protocol.

Done in duplicate, in Paris, on 23 February 1882.

(L.S.) C. de Freycinet.

(L.S.) Kern.

(L.S.) P. Tirard.

(L.S.) Lardy.

(L.S.) M. Rouvier.

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