

The Chargé d'Affaires ad interim of Switzerland presents his compliments to the Honorable the Acting Secretary of State, and has the honor to refer to the Department's circular Notes of May 22 and June 25, 1956, concerning the issuance on February 15, 1956, of Executive Order No. 10659 amending the Selective Service regulations. In these Notes particular attention was directed to the provisions of the Executive Order which deal with the military obligations of aliens permanently residing in the United States.

Pursuant to this Executive Order, Swiss citizens who entered the United States with an immigrant visa are subject to the obligation to serve in the American armed forces, and are now even deprived of the possibility of exemption from military service as treaty aliens. This obligation imposed on numerous Swiss citizens residing in the United States obviously contravenes the provisions of Article II of the Treaty of Friendship and Commerce concluded between Switzerland and the United States on November 25, 1850, and is incompatible with the sound principles of International Law, by which that article of the treaty was inspired.

In view of this situation, the Legation has been instructed by the Swiss Government to express its serious concern and state its objection to such violation of Article II of the said Treaty of 1850, which provides that the citizens of one of the two countries, residing or established in the other, shall be free from personal military service.

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While making this protest on behalf of the Swiss Government, this Legation, in addition, wishes to preserve any and all rights which may arise under the provisions of said Treaty for the benefit of Switzerland.

F. Schwyter

Washington, D. C.

September 19, 1956