

N° 617.

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## ALLEMAGNE ET PAYS-BAS

Convention concernant le traitement en douane dans le trafic international des voyageurs par les employés allemands et néerlandais en commun, signée à Berlin le 23 mai 1923.

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## GERMANY AND THE NETHERLANDS

Agreement concerning the customs formalities to be applied jointly in respect of passengers in international traffic by the officials of the two countries, signed at Berlin, May 23, 1923.

## TEXTE ALLEMAND. — GERMAN TEXT.

No. 617. — DEUTSCH-NIEDERLÄNDISCHES ABKOMMEN<sup>1</sup> ÜBER ZUSAMMENLEGUNG DER GRENZABFERTIGUNG IM INTERNATIONALEN REISEVERKEHR, GEZEICHNET IN BERLIN AM 23. MAI 1923.

*German and Dutch official texts communicated by the German Consul at Geneva and the Netherlands Minister at Berne. The registration of this Agreement took place May 24, 1924.*

IHRE MAJESTÄT DIE KÖNIGIN DER NIEDERLANDE und DER PRÄSIDENT DES DEUTSCHEN REICHES, von dem Wunsche geleitet, ein Abkommen zu schliessen über Zusammenlegung der Grenzabfertigung im internationalen Reiseverkehr, haben zu diesem Zwecke zu ihren Bevollmächtigten ernannt :

IHRE MAJESTÄT DIE KÖNIGIN DER NIEDERLANDE :

Allerhöchstihren ausserordentlichen Gesandten und bevollmächtigten Minister in Berlin, Herrn W. A. F. Baron GEVERS ;

DER PRÄSIDENT DES DEUTSCHEN REICHES :

den Staatssekretär im Auswärtigen Amte, Herrn Ago Freiherrn von MALTZAN,

welche, nach gegenseitiger Mitteilung ihrer in guter und gehöriger Form befundenen Vollmachten, folgendes vereinbart haben :

*Artikel 1.*

Die vertragschliessenden Teile sind darüber einig, dass zur Beschleunigung des internationalen Reiseverkehrs zwischen den Niederlanden und Deutschland, die Grenzabfertigung der Reisenden und ihres Gepäcks nach Massgabe dieses Abkommens von den niederländischen und deutschen Behörden gemeinsam vorgenommen werden soll.

Der niederländische Finanzminister und der Finanzminister des Deutschen Reichs werden in gegenseitiger Übereinkunft diejenigen niederländischen oder deutschen Grenzbahnhöfe, an denen eine gemeinsame Abfertigung stattfinden soll und den Umfang dieser Abfertigung bestimmen, sowie nach Bedarf weitere gemeinschaftliche Ausführungsbestimmungen vereinbaren.

*Artikel 2.*

Die gesetzlichen Bestimmungen, welche für das Überschreiten der Grenze in jedem der beiden Länder gelten, finden auf den gemeinsamen Grenzbahnhöfen und auf den zugehörigen Bahnstrecken von der Landesgrenze bis zu dem gemeinsamen Grenzbahnhof in der Weise Anwendung, dass diejenigen des Ausgangslandes vorgehen.

<sup>1</sup> The exchange of ratifications took place at Berlin, March 28, 1924.

<sup>1</sup> TRANSLATION.

No. 617. — AGREEMENT BETWEEN GERMANY AND THE NETHERLANDS CONCERNING THE CUSTOMS FORMALITIES TO BE APPLIED JOINTLY IN RESPECT OF PASSENGERS IN INTERNATIONAL TRAFFIC BY THE OFFICIALS OF THE TWO COUNTRIES, SIGNED AT BERLIN, MAY 23, 1923.

HER MAJESTY THE QUEEN OF THE NETHERLANDS and THE PRESIDENT OF THE GERMAN REICH, being desirous of concluding an Agreement for the adoption of a combined procedure in connection with frontier formalities in international passenger traffic, have, for this purpose, appointed as their Plenipotentiaries :

HER MAJESTY THE QUEEN OF THE NETHERLANDS :

His Excellency Baron W. A. F. GEVERS, Envoy Extraordinary and Minister Plenipotentiary at Berlin,

THE PRESIDENT OF THE GERMAN REICH :

Freiherr von MALTZAN, Secretary for Foreign Affairs,

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

*Article 1.*

The Contracting Parties are agreed that, with a view to expediting international passenger traffic between the Netherlands and Germany, the frontier formalities in connection with travellers and their luggage should be carried out conjointly, in conformity with the present Agreement, by the Netherlands and German authorities.

The Netherlands Finance Minister and the Finance Minister of the German Reich shall agree on the designation of the Netherlands or German frontier railway stations at which the frontier formalities shall be carried out conjointly, and the nature and extent of these formalities ; they shall also lay down, in agreement with one another, any further common executive regulations which may become necessary.

*Article 2.*

The legal provisions in regard to the crossing of the frontier which are in force in either of the two countries shall apply at the joint frontier stations, and on the sections of railway line appertaining thereto between the frontier and the common frontier station, the regulations of the country of departure, however, having priority.

Any persons who are required by regulation to undergo a medical examination before they can be admitted to either of the two countries may be excluded from the joint procedure.

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

*Article 3.*

The officials and staff of the foreign State shall be entitled, at the frontier stations and on the sections of railway referred to in Article 2, to carry out all the official procedure which is necessary for the application of the legal provisions in force in their own country, as mentioned in Article 2, within the same limits and with the same effects as in their own country. Forcible measures, with a view to carrying out inspections, may only be undertaken with the co-operation of the officials of the other State. Persons may only be arrested and compulsorily conducted back to the country of departure if they are nationals of that country.

*Article 4.*

In the case of infractions committed in one State of legal provisions referred to in Article 2 in force in the other State, the courts in whose jurisdiction the nearest railway station of the first-named State is situated, shall be competent to punish such offences.

*Article 5.*

Officials and staff of one State who are employed on the territory of the other State, and officials engaged on supervisory duties, shall be furnished by their own authorities with passes, made out on a special form, exempting them from compulsory passport and visa formalities when crossing the frontier in the execution of their duty. Permission to enter or to remain in the territory of the other State shall only be accorded to the officials and staff of the other State so long as they are in possession of a valid pass of this nature.

Such a pass may also be cancelled by a notification made to the competent authorities of the other State.

*Article 6.*

Officials and staff who are employed on the territory of the other State shall be bound, when carrying out their duties, to wear uniform or some other clearly distinguishable badge and shall be authorised to carry their *service* weapons, with the exception of fire-arms.

The foregoing obligation shall not apply to inspectors.

*Article 7.*

In respect of liability to personal service and to direct taxation, officials and staff of one State employed in the territory of the other State shall be treated in the same way as if they were neither residing nor sojourning in the territory of the latter State.

*Article 8.*

The officials and staff of one State employed in the territory of the other State shall be entitled to import free of Customs duty any articles they may require in the exercise of their duty and to take back such articles to their own country without liability to any charges whatsoever.

*Article 9.*

The officials of either State shall be entitled to maintain order in the premises allotted for their exclusive use in the territory of the other State and to remove persons who are creating disorder.

The premises referred to in the preceding paragraph may be distinguished by official escutcheons bearing the national emblems of the State which has sent the officials.

*Article 10.*

In case of offences against the legal provisions referred to in Article 2 being committed at the frontier railway stations or on the sections of railway line appertaining thereto, the competent authorities of either Contracting Party may, on receipt of a direct application from the competent authorities of the other Contracting Party and subject to the laws of the first-named Party,

- (a) examine witnesses and experts ;
- (b) undertake official inspections and cause the findings to be attested ;
- (c) cause summonses and judgments to be served.

The cash expenses arising from such proceedings shall be reimbursed direct by the authorities who make the application to those to whom the application is addressed.

*Article 11.*

The present Agreement shall cease to be valid one year after it has been denounced by either Contracting Party.

*Article 12.*

The present Agreement shall be ratified and the instruments of ratification shall be exchanged at Berlin. It shall come into force on the date of the exchange of the instruments of ratification.

In faith whereof the undersigned have signed the present Agreement and have thereto affixed their seals.

Done at Berlin on May 23, 1923, in duplicate, in the German and Dutch languages.

(L. S.) AGO v. MALTZAN.

(L. S.) GEVERS.