

No. 840

BELGIUM
and
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND

Agreement between the Belgian and British Frontier Control Authorities respecting the issue of frontier passes for the crossing of the frontier between the territory under Belgian occupation and the German frontier zone under British occupation (with annexes A and B). Signed at Düsseldorf, on 14 April 1949

Official text : French.

Registered by Belgium on 9 June 1950.

BELGIQUE
et
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD

Accord entre les autorités belges et britanniques de contrôle de la frontière concernant la délivrance de permis frontaliers permettant de franchir la frontière entre les territoires sous occupation belge et la zone frontalière allemande sous occupation britannique (avec annexes A et B). Signé à Dusseldorf, le 14 avril 1949

Texte officiel français.

Enregistré par la Belgique le 9 juin 1950.

TRANSLATION—TRADUCTION

No. 840. AGREEMENT¹ BETWEEN THE BELGIAN AND BRITISH FRONTIER CONTROL AUTHORITIES RESPECTING THE ISSUE OF FRONTIER PASSES FOR THE CROSSING OF THE FRONTIER BETWEEN THE TERRITORY UNDER BELGIAN OCCUPATION AND THE GERMAN FRONTIER ZONE UNDER BRITISH OCCUPATION. SIGNED AT DÜSSELDORF, ON 14 APRIL 1949

Article 1

Persons of the age of 15 and over; regardless of nationality, who come within one of the categories listed in article 11 and reside in the agreed frontier region may, subject to the terms of the present Agreement concluded between the two frontier control authorities, be issued with a frontier pass.

Article 2

The frontier regions will comprise :

Territory under Belgian occupation : the areas listed in annex A to this Agreement.

In Germany : the German communes listed in annex B to this Agreement.

Article 3

All applications for frontier passes will be made on the prescribed form. All completed application forms will be referred in duplicate to the Belgian Military Commander, in the case of applications made in the enclaves under Belgian occupation, and to the Area British Immigration Inspector, in the case of applications made in Germany. Where the authority of the territory in which the applicant resides approves an application, the application forms endorsed to this effect, together with the frontier pass completed as far as possible, will be passed to the competent authority of the other territory for clearance. In cases where such clearance is granted, the original application form, duly endorsed, and the completed frontier pass will be returned to the receiving authority who will issue the pass to the applicant. Each frontier pass will be signed and stamped by both authorities before issue.

¹ Came into force on 23 April 1949, by mutual agreement between the competent authorities.

Article 4

Frontier passes may be granted for one return journey or for two or more journeys. The validity of such passes will be as indicated below. Each frontier pass will state the destination in the other territory to which the traveller is authorized to proceed, and will state the frontier crossing points.

Article 5

Any frontier pass may be withdrawn at any time should it be found that the conditions of issue have been abused, or if any false statement was made by the applicant when applying for the pass. Withdrawal will also be made when the purpose for which the pass was issued no longer exists. Such withdrawal will normally be made by the authority responsible for the issue of the pass, acting either on its own behalf, or on the request of the competent authority of the other territory. In serious cases of misuse, where the continued possession of the pass by the bearer is considered dangerous, either authority may withdraw the pass. If a pass is withdrawn, the fact will be reported to the competent authority of the other territory together with a statement of the grounds for withdrawal.

Article 6

It is agreed by the authorities of both territories that each shall retain the right to refuse any application. If an application is made on the grounds of extreme compassionate circumstances, the Belgian and British authorities concerned will decide in consultation together whether a pass of restricted validity shall be issued.

Article 7

The authorities of both territories undertake to re-admit into territory under Belgian occupation or into the British zone in Germany, any person to whom a frontier pass was issued by them, even though the validity of the pass shall have expired.

Article 8

The authorities of both territories agree to clear and approve with the minimum delay possible all successful applications for frontier passes received by them.

Article 9

A fee will be charged by each authority in respect of all frontier passes issued by it, but each authority may issue gratis passes to officials who are visiting the frontier region of the other territory on duty.

Article 10

Each authority will assume responsibility for the approval of the necessary application forms and frontier passes issued by it, both of which will be of a form agreed upon jointly between the said authorities. No amendments to the form of these documents shall be made by either authority without the approval of the other.

Article 11

Frontier passes may be issued to persons coming within the following categories :

A. (I) Farmers and agricultural workers working farms, part of which lie in the opposite frontier region. Frontier passes valid for twelve months may be issued to farmers resident in the enclaves under Belgian occupation or in the German frontier region under British occupation and themselves cultivating personally owned or rented property situated in the other region. Similarly, frontier passes valid for twelve months may be issued to agricultural workers employed by such farmers.

(II) The frontier pass will be endorsed in red ink with the words "Agricultural Worker" in French, English and German.

(III) The pass will bear a photograph of the holder.

(IV) Such frontier passes will specify the crossing point at which the holder must, to the exclusion of all other crossing points, cross the frontier.

(V) Farmers are authorized to cross the frontier at the following crossing points on production of a pass :

Farmers from the following communes :

Bildchen
Losheim

Crossing points :

Bildchen
Losheimergraben
Hallschlag
Kehr

B. Persons wishing to cross the frontier on compassionate grounds or for urgent private affairs.

(I) Frontier passes valid for a maximum of 48 hours may be issued to persons resident in one of the two territories who have to visit the other territory for one of the following reasons :

(a) Death or serious illness of a near relative. ("Near relative" means : parents, children, husbands, wives, brothers, sisters, parents-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, grandfathers,

grandmothers and grandchildren). In order to expedite the issue of such passes the following procedure will be adopted : the Military Commander will hold a permanent stock of ten blank passes signed and stamped by the Area British Immigration Inspector, who will similarly hold ten blank passes signed and stamped by the said Military Commander. In order to regularize the issue of these blank signed passes, all applications for such passes will be submitted in duplicate. The receiving authority will forward these two copies of the application to the competent authority of the other territory who will retain one copy and return the other, duly endorsed and stamped, to the receiving authority. On the expiry of the validity of such passes, they will be returned by the holder to the issuing authority. Such expired passes will be returned finally to the authority which signed the pass in blank. Blank signed passes which have, for any reason, been rendered unserviceable, will be cancelled by the competent authority and returned to the authority which signed them in blank.

(b) In cases where the need to attend meetings in connexion with inheritance or settlement of family financial affairs requiring the presence of the person concerned is duly established. The following procedure will be followed in such cases :

- (1) If a notary or ministerial official, resident in the territory under Belgian occupation, requires the presence of a person resident in the British zone of occupation in Germany, he will address a letter to that person. Upon receipt of this letter of request, the person concerned will apply to the Area British Immigration Officer for a frontier pass and will produce the letter. The application form, together with the letter referred to above, will be transmitted to the Belgian Military Commander for approval and will be returned to the Area British Immigration Officer who will, where appropriate, draw up the frontier pass.
- (2) If a notary or ministerial official, resident in the British zone of occupation in Germany, requires the presence of a person resident in the territory under Belgian occupation, he will address a letter to that person. Upon receipt of this letter of request, the person concerned will apply to the Belgian Military Commander for a frontier pass and will produce the letter. The application form together with the letter referred to above will be transmitted to the Area British Immigration Officer for approval and will be returned to the Belgian Military Commander who will, where appropriate, draw up the frontier pass.
- (3) In the two cases referred to above, the frontier pass will be valid for 48 hours. Holders of such passes must cross the frontier at one of the places where is a Belgian customs post, namely : Bildchen and

Losheimergraben. No goods or currency may be imported or exported by persons benefiting from this procedure who must on their return pass the same post by which they crossed the frontier on their outward journey.

(c) As regards requests for the presence of a person which are not provided for in the foregoing paragraphs, the Belgian Military Commander and the Area British Immigration Inspector will jointly decide whether a pass should be issued.

C. Persons wishing to cross the frontier in order to visit relatives.

(I) Persons living in the territory under Belgian occupation, or in the German frontier zone under British occupation, who can establish that they have near relatives or relatives by marriage (parents, children, husbands, wives, brothers, sisters, parents-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, grandfathers, grandmothers, grandchildren) living in the other frontier zone may obtain frontier passes valid for 12 months and authorizing them to make one return journey each month. The maximum duration of each visit in the other territory will be 48 hours.

(II) Persons granted frontier passes under these provisions will be authorized by the frontier control officials to take with them on the outward journey a quantity of food normally sufficient for 48 hours. They must cross the frontier at one of the crossing points listed in paragraph B (3) above.

(III) Frontier passes for monthly family visits will be dated by means of a date stamp by both frontier control authorities at the crossing point specified in the pass.

(IV) Holders of such frontier passes may be accompanied by their children aged under 15 years, provided that such children are named in the pass.

D. Children residing in one of the two territories and attending an educational establishment in the other may, upon production of a certificate of enrolment in such establishment, obtain a frontier pass valid during the scholastic year and authorizing one or more frontier crossings each day at a specified point. Such children may not take with them any goods or currency, apart from school text-books and exercise books and, if need be, the quantity of food strictly necessary for each day.

Article 12

Persons who are resident in one of the two territories referred to in this agreement and whose *daily* occupation is in the other territory. The Belgian Military Commander and the Area British Immigration Inspector

at Aachen will jointly examine such applications and, if they appear warranted, frontier passes may be issued to persons coming within the following categories :

- (a) employees of the railways and of the postal, telegraph and telephone services;
- (b) wood-cutters, wood-carriers and other frontier workers;
- (c) taxi-drivers, carriers, forwarding agents and customs agents;
- (d) frontier officials.

In such cases the authorities issuing the frontier passes will decide, by mutual agreement, the period of validity of the passes issued in these circumstances.

Article 13

Veterinary surgeons, midwives, doctors and clergy carrying on their profession or vocation in places near the frontier, who may be summoned in cases of manifest urgency and in the absence of a locally resident practitioner or clergyman, will be allowed to cross the frontier upon production of their professional credentials or their identity card stating their profession or vocation.

The burgomaster of the commune requesting assistance will draw up an explanatory report on each case in which use is made of this privilege.

This report will be forwarded immediately to the Military Commander of the territory, if the assistance was given in territory under Belgian occupation, or to the Area British Immigration Inspector, if the assistance was given in German territory under British occupation.

Article 14

In cases of emergency, fire brigades will be permitted to cross the frontier upon production of a group list drawn up by the burgomaster of the commune to which they belong and upon production of individual identity cards with photographs.

The burgomaster of the place at which the emergency occurs will draw up an explanatory report as indicated in the foregoing article.

Article 15

The provisions of the present Agreement shall be without prejudice to the application of the provisions of the Belgian-British Agreement signed on 29 December 1948¹ respecting the issue of frontier passes for frontier traffic between Belgium and the British zone of occupation in Germany.

¹ United Nations, *Treaty Series*, Volume 27, page 135; Volume 32, page 397, and Volume 46, page 351.

The frontier referred to in that Agreement shall be taken to mean the frontier between the territories under Belgian occupation and the British zone of occupation in Germany.

Article 16

This Agreement shall remain in force only during the period of military occupation of the aforesaid territories and shall automatically terminate on the date on which another status is conferred upon those territories.

It may be amended, in the light of experience, at the request of either of the parties after it has been in force for three months.

DONE in duplicate at Düsseldorf, 14 April 1949.

The Director
Entries and Exits Branch
Intelligence Division
Control Commission for Germany
(British Element)
(Signed) Brigadier MORRIS

For the Minister of Foreign
Affairs of Belgium,
The President
of the Belgian Delegation :
(Signed) R. CONTEMPRÉ
Inspector General

ANNEX "A"

Areas transferred to Belgium, comprising :

- (1) the built-up area of Bildchen bounded by a line commencing at boundary-stone No. 1017, which is the former boundary of the district of Eupen, proceeding then to the east of the railway, at the entrance of the tunnel leading to Aachen, and then passing along the railway track as far as boundary-stone No. 980;
- (2) the section of the Aachen-Raeren road between boundary-stones Nos. 1948 and 920, and the forest of Freyen;
- (3) the neck of land, known as "Deutsche Leykaul", between boundary-stones Nos. 652 and 648 and bounded by the Breitenbach;
- (4) the re-entrant between the Schwalm on the west and the Rocherath-Wahlerscheid road on the east, and bounded on the north by a line drawn between boundary-stones Nos. 624 and 572;
- (5) the triangle of forest north of Weisserstein and east of the present frontier;
- (6) at the Losheimergraben hill, the triangle bounded on the north-east by road L 25 and on the west and south by the present frontier;
- (7) the village of Losheim and its vicinity, within the following limits : a line starting from a point near the viaduct over the railway track north of Losheim and running along the southern edge of the forest as far as the present boundary of the Schleiden district, following that boundary to the south and reaching the present frontier at the bend in road L 25 approximately 1 km. south-east of Losheim station;
- (8) road L 25 in the whole of that sector;
- (9) the hamlet of Hemmeres between the present frontier and the railway line from Saint-Vith to Trois-Vierges.

ANNEXE "B" — ANNEX "B"

ZONE FRONTIÈRE ALLEMANDE — GERMAN FRONTIER ZONE

Zollgrenzkommissariat Hellenthal

Kronenburg	Hollerath	Ettelscheid
Basen	Wildenburg	Berescheid
Dahlen	Oberreifferscheid	Dreiborn
Berk	Hellenthal	Wollseifen
Schmidtheim	Kirscheifen	Hecken
Udenbreth	Blumenthal	Sistis
Miescheid	Oberhausen	Schleiden
Rehscheid	Harperscheid	Nierfeld
Ramscheid	Schonesseiffen	Olef
Hecken	Bronsfield	Mersbach

Zollgrenzkommissariat Monschau

Alzen	Eicherscheid	Eschanel
Kalterherberg	Konzen	Bergstein
Höfen	Huppenbroich	Bradenburg
Reichenstein (Messenweg)	Simmerath	Hurtgen
Rohren	Ketternich	Strauch
Monschau	Bickerath	Woffelspach
Widdau	Ruhrberg	Steckenborn
Menzerath	Witzerath	Rollesbroich
Hammer	Mutzenich	Schmidt
Imgenbroich	Baustenbach	Kommerscheid
Pleusschütte	Einruhr	Voossnack
Dedenborn		

Zollgrenzkommissariat Walheim

Lammersdorf	Lichtenbusch	Busbach
Pilgerborn	Vennwegen	Stolberg
Rott	Breinig	Forst
Germeter	Kornelimunster	Eilendorf
Mulartshütte	Schleckheim	Gressenick
Schmidthof	Oberforstbach	Hastenrath
Friesenrath	Krauthausen	Rothberg
Hahn	Brand	Eschweiler
Walheim	Zweisaal	Rötgen
Sief		

Zollgrenzkommissariat Aachen

Grüne Eiche	Hitfeld	Aachen
Grenzhof	Ronheide (BHF Süd)	Haaren