

No. 2832

NORWAY
and
FEDERAL REPUBLIC OF GERMANY

**Agreement concerning the readmittance of persons who
have illegally entered the other country. Signed at
Oslo, on 18 March 1955**

Official texts: Norwegian and German.

Registered by Norway on 9 May 1955.

NORVÈGE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

**Accord relatif à la réadmission des personnes entrées illé-
galement dans le territoire de l'autre pays. Signé à
Oslo, le 18 mars 1955**

Textes officiels norvégien et allemand.

Enregistré par la Norvège le 9 mai 1955.

[TRANSLATION — TRADUCTION]

No. 2832. AGREEMENT¹ BETWEEN NORWAY AND THE FEDERAL REPUBLIC OF GERMANY CONCERNING THE READMITTANCE OF PERSONS WHO HAVE ILLEGALLY ENTERED THE OTHER COUNTRY. SIGNED AT OSLO, ON 18 MARCH 1955

The Government of the Federal Republic of Germany and the Royal Norwegian Government have agreed as follows :

SECTION A

Article I

The Federal Republic of Germany shall receive any German national whom the Norwegian Government proposes to deport, without the intervention of its diplomatic representatives in Norway and without formality, even if the person to be deported is not in possession of a valid passport, provided that documents are produced which furnish conclusive or *prima facie* evidence that the person in question is a German national, and provided that there is no reason to believe that he has lost German nationality through the acquisition of some other nationality.

Certificates of origin (*Heimatschein*), certificates of nationality, certificates of naturalization and German passports (even if expired) shall be accepted as such documentary evidence.

The reception of such persons shall be effected at a mutually agreed frontier station on production of a document of the type referred to in the first paragraph and upon the issuance of a transfer receipt.

The Royal Norwegian Government shall readmit persons who are found, on investigation by the German authorities, not to have had German nationality at the time of deportation, except in so far as the persons in question are persons whom the Federal Republic is under a duty to receive under articles II and IV.

Article II

The Federal Republic shall upon request receive any person who does not fulfill the conditions of article I and whom the Norwegian authorities propose to deport, if that person entered Norway from the territory of the Federal Republic without permission.

¹ Came into force on 18 March 1955, by signature, in accordance with section E.

This provision shall not apply if the request mentioned in the foregoing paragraph is not made within six months after the date of the departure from the territory of the Federal Republic, or in the case of a person who did not remain in that territory for at least two weeks, or in the case of a person who, after crossing the frontier, acquired the status of refugee in Norway in conformity with the Convention relating to the Status of Refugees, dated Geneva, 28 July 1951.¹

The provisions of the first paragraph shall also not apply if the person to be deported is of Danish, Finnish, Icelandic or Swedish nationality.

Article III

The reception of a person under article II shall be contingent upon the production of a declaration of reception issued, after due enquiry, by the diplomatic representative of the Federal Republic of Germany in Norway. The transfer of such person shall be effected at an authorized frontier station in accordance with a procedure agreed upon between the frontier authorities of the two countries.

Article IV

If a person who entered Norway from the territory of the Federal Republic without permission is taken into custody in Norway within seven days after crossing the frontier, he may be handed over to the German frontier authorities, who are required to receive him without formality if the Norwegian authorities furnish information satisfying the German frontier authorities that the person in question crossed the frontier without permission.

Article V

In so far as this Agreement provides that German nationality is a condition of reception, the duty to receive deportees shall extend also to any refugee or expellee who is of German ethnic origin, and to his spouse and descendants, if he has been admitted into territory which on 31 December 1937 was comprised within the German Reich.

SECTION B

Article I

The Royal Norwegian Government shall receive any Norwegian national whom the German Government proposes to deport, without the intervention of its diplomatic representatives in the Federal Republic of Germany and without

¹ United Nations, *Treaty Series*, Vol. 189, p. 137; Vol. 190, p. 385; Vol. 191, p. 409; Vol. 199, p. 357; Vol. 200, p. 342; Vol. 201, p. 387, and Vol. 202, p. 368.

formality, even if the person to be deported is not in possession of a valid passport, provided that documents are produced which furnish conclusive or *prima facie* evidence that the person in question is a Norwegian national and provided that there is no reason to believe that he has lost Norwegian nationality through the acquisition of some other nationality.

Certificates of nationality, certificates of naturalization and Norwegian passports (even if expired) shall be accepted as such documentary evidence.

The reception of such persons shall be effected at a mutually recognized frontier station on production of a document of the type mentioned in the first paragraph and upon the issuance of a transfer receipt.

The Federal Republic shall readmit persons who are found, on investigation by the Norwegian authorities not to have had Norwegian nationality at the time of deportation, except in so far as the persons in question are persons whom the Norwegian Government is under a duty to receive under articles II and IV.

Article II

Upon request by the competent German authorities, the Norwegian Government shall receive any person who does not fulfill the conditions of article I and whom the German authorities propose to deport, if that person entered the territory of the Federal Republic from Norway without permission.

This provision shall not apply if the request mentioned in the foregoing paragraph is not made within six months after the date of the departure from Norwegian territory, or in the case of a person who did not remain in Norway for at least two weeks, or in the case of a person who, after crossing the frontier, acquired the status of refugee in the Federal Republic of Germany in conformity with the Convention relating to the Status of Refugees, dated Geneva, 28 July 1951.

The provisions of the first paragraph shall not apply if the person to be deported is a national of a country with which the Federal Republic of Germany has a common frontier, an exception being made, however, in the case of a person who, being a refugee, cannot be deported either to his country of origin or to the country from which he has fled.

Article III

The reception of a person under article II shall be contingent upon the production of a declaration of reception issued, after due enquiry, by the competent Norwegian authority. The transfer of any such person shall be effected at an authorized frontier station in accordance with a procedure agreed upon between the frontier authorities of the two countries.

Article IV

If a person who entered the territory of the Federal Republic from Norway without the necessary entry permit is taken into custody in the territory of the Federal Republic within seven days after crossing the frontier, he may be handed over to Norwegian frontier authorities, who are required to receive him without formality if the German authorities furnish information satisfying the Norwegian frontier authorities that the person in question crossed the frontier without the necessary entry permit.

Section C

The cost of conveying persons to be deported to but not beyond the frontier crossing point shall be defrayed by the departing authority.

Section D

This Agreement may be denounced at any time subject to three months notice through the diplomatic channel.

Section E

The Norwegian and German texts of this Agreement shall be equally authentic. The Agreement shall come into force on the day of signature.

Oslo, 18 March 1955

(Signed) Halvard LANGE

(Signed) Georg VON BROICH-OPPERT