

No. 4660

DENMARK, FINLAND, NORWAY and SWEDEN

Convention (with annexes) concerning the waiver of passport control at the intra-Nordic frontiers. Signed at Copenhagen, on 12 July 1957

Official texts: Danish, Finnish, Norwegian and Swedish.

Registered by Denmark on 5 February 1959.

DANEMARK, FINLANDE, NORVÈGE et SUÈDE

Accord (avec annexes) concernant la suppression du contrôle des passeports aux frontières internordiques. Signé à Copenhague, le 12 juillet 1957

Textes officiels danois, finnois, norvégien et suédois.

Enregistré par le Danemark le 5 février 1959.

[TRANSLATION¹ — TRADUCTION²]

No. 4660. CONVENTION³ BETWEEN DENMARK, FINLAND, NORWAY AND SWEDEN CONCERNING THE WAIVER OF PASSPORT CONTROL AT THE INTRA-NORDIC FRONTIERS. SIGNED AT COPENHAGEN, ON 12 JULY 1957

The Contracting Parties,
desirous of establishing freer intercourse between the Nordic States,
having already waived the obligation for citizens of the Nordic States to travel with passports,
being agreed to allow aliens to travel directly from one Nordic State to another via an authorised frontier control point without being submitted to passport control, and
endeavouring to apply the principle of adopting a common policy in the requirement of visas, and to establish a uniform practice in the issue of visas for business, study, tourist and other similar short journeys, have agreed as follows :

Article 1

As used in this Convention the term " alien " (*utlänning*) means any person who is not a citizen of Denmark, Finland, Norway or Sweden;

The term " Nordic State " (*nordisk stat*) means Denmark (with the exception of Greenland and the Faroe Islands), Finland, Norway (with the exception of Svalbard and Jan Mayen) and Sweden;

- The term " outer Nordic frontier " (*nordisk yttergräns*) means
- (a) a land frontier between a Nordic State and a non-Nordic State;
 - (b) an airport situated in a Nordic State, with regular air services to and from a non-Nordic State;
 - (c) a seaport situated in a Nordic State with regular ship or ferry connexions with a non-Nordic State;
 - (d) a seaport or an airport in a Nordic State with non-regular service of vessels or aircraft to or from a non-Nordic State or from which vessels or aircraft depart for a non-Nordic State.

¹ Translation provided by the Government of Denmark.

² Traduction fournie par le Gouvernement danois.

³ Came into force on 1 May 1958, in accordance with article 15, the instruments of ratification having been deposited with the Danish Ministry for Foreign Affairs on 16 April 1958 by Finland and on 30 April 1958 by Denmark, Norway and Sweden.

Article 2

Each Contracting Party shall establish passport control at its outer Nordic frontiers. The passport control shall be carried out in accordance with the principles stated in Annex 1¹ to this Convention.

Each Contracting Party shall employ control cards (entry- and exit-cards) for the control of

- (a) an alien who requires a visa to enter the territory of any of the Contracting States if that State requires a control card;
- (b) an alien whom a Contracting State has expelled and forbidden to return unless he has special permission.

The control card (entry- and exit-card) shall have the form and content described in Annex 2¹ to this Convention.

Article 3

The entry-card shall be kept by the State of entry (*inresestaten*). If the alien holds a valid permit inserted in his passport entitling him to stay for more than three months in another Nordic State, the entry-card shall be sent to that State. If according to the passport such a permit has been issued by more than one Nordic State, the entry-card shall be sent to the State whose permit is the last to expire.

If an alien is allowed by a Nordic State to stay for more than three months in that State after the expiry of the permitted period of stay, the card shall be sent to that State.

It is incumbent upon the State that holds the control card to see that the permitted period of stay is not exceeded.

The exit-card shall be sent to the State that at the time of departure is responsible for controlling the alien in question.

Article 4

If a Contracting Party intends to waive or to introduce any visa obligation in relation to a non-Nordic State or to introduce other material changes in its visa agreements with a non-Nordic State, advance notice of the measures proposed shall be sent to the other Contracting Parties, provided there are no compelling reasons for an immediate introduction of the measures contemplated. In such a case the other Contracting Parties shall be notified as soon as possible after the measures have been taken.

¹ See p. 294 of this volume.

The foregoing shall also apply to the introduction of other general provisions regarding the entry, departure and stay of aliens in the State concerned.

Article 5

Each Contracting Party shall require a visa-free alien wishing to stay for more than three months after arrival from a non-Nordic State into a Nordic State to apply for a residence permit in the Nordic State where he is staying at the expiry of the three months' period.

A residence permit in a Nordic State is only valid in the State which issued it. During the validity of the permit a visa-free alien shall, however, be allowed to stay in any other Nordic State for a period of three months without a residence permit. This does not apply, however, if the alien intends to stay in that State for more than three months or if he there intends to seek or obtain employment or work as a self-employed person and the State concerned requires by law a residence permit to be applied for before the expiry of the said three months.

For the purpose of the first paragraph of this Article the permit-free period shall be counted from the day of entry; if, however, the alien concerned has stayed in a Nordic State before the last entry, the time he spent in a Nordic State during the foregoing six months shall be deducted from the permit-free period.

For the purpose of the second paragraph of this Article the permit-free period shall be counted from the day of entry into the State concerned; if, however, the alien has stayed in the said State before the last entry, the time spent in that State during the previous six months shall be deducted from the permit-free period.

Article 6

The Contracting Parties shall refuse entry (*avvisa*) at their outer Nordic frontiers to every alien

- (a) who does not hold a valid passport or other document of identity accepted by the appropriate authorities of the Contracting States in lieu of a passport;
- (b) who is not provided with the necessary entry or work permit for the State of entry as well as for any other Nordic State or States he intends to visit;

- (c) who may be supposed not to have sufficient means of subsistence in the Contracting State or States he intends to visit and for his return journey;
- (d) who may be supposed not to sustain himself by honest means;
- (e) who has previously been sentenced to imprisonment and may be expected to commit a criminal offence in a Nordic State; or of whom it may, because of his previous activities or on other grounds, reasonably be suspected that he will commit sabotage, espionage or illegal intelligence activities in any of the Contracting States;
- (f) who figures in the lists of expelled (*utvisad*) aliens maintained by any one of the Contracting Parties.

Any alien may be refused entry (*avvisad*) who for other reasons is not considered to be admissible in one or more Contracting State or States.

The provisions under (b)-(f) above are not applicable in the case of an alien who intends to travel to a Contracting State for which he has an entry or residence permit affording him the right to enter.

Article 7

The provisions of Articles 2 and 6 are not applicable in the case of an alien arriving from a non-Nordic State as a member of a ship's crew. Nor are the provisions of Article 2 applicable in the case of an alien departing to a non-Nordic State as a member of a ship's crew. An alien who has arrived from a non-Nordic State as a crew member and who signs off in a Nordic State shall, however, when entering be subject to the provisions of Articles 2 and 6. Furthermore, an alien who, in a Nordic State, has signed on in a ship not exclusively plying between Nordic States shall when departing be subject to the provisions of Article 2.

Each Contracting Party may, by special provisions, allow members of ship's crews to stay ashore without a special permit during the period of their ship's usual call at a port.

The provisions of this Article are also applicable in the case of aliens who are members of the crew of an aircraft.

Article 8

When a Contracting State makes occasional checks at its frontier with another Nordic State, an alien may be required to present his passport and to give any information asked of him.

Each Contracting State may at its frontier with another Nordic State refuse entry (*avvisa*) to any alien who does not hold an entry permit for the State concerned.

Article 9

A Contracting State shall not allow an alien who has been expelled (*utvisad*) from another Contracting State to enter without a special permit. Such a permit is, however, not required if a State which has expelled an alien wishes to expel him via another Nordic State.

If an alien who has been expelled from one Nordic State has a residence permit for another Nordic State, that State is obliged, on request, to receive him.

Article 10

Each Contracting State shall take back an alien who, in accordance with Article 6 (*a*) and, as far as entry permit is concerned, 6 (*b*), as well as 6 (*f*), ought to have been refused entry by the State concerned at its outer frontier and who has travelled from that State without a permit into another Nordic State.

Likewise an alien shall be taken back who, without a valid passport or a special permit, if such is required, has travelled directly from one Nordic State to another.

The foregoing shall not apply in the case of an alien who has stayed in the State wishing to return him for at least one year from the time of his illegal entry into that State or who has, after entering illegally, been granted a residence and/or work permit there.

Article 11

Each Contracting State shall supply any other Contracting State with information as well as undertake enquiries on its behalf in accordance with Annex 3¹ of this Convention.

Article 12

What has been stipulated in this Convention about an expelled (*utvisad*) alien shall also apply to an alien who, according to Finnish or Swedish law, has been turned away or expelled in the other manners stipulated in the said laws (*förvisning* or *förpassning*), without a special permit to return.

Article 13

In order to co-ordinate the control of aliens in the Contracting States and otherwise to deal with matters which are of importance to the common passport control area in the Nordic States, a joint working committee (Nordic Aliens

¹ See p. 296 of this volume.

Committee), (Nordiska utlänningsutskottet) shall be established. The Committee shall consist of one representative of each of the Contracting States. Representatives are at liberty to call upon individual experts, if necessary.

Article 14

After negotiations, the Government of Iceland may accede to this Convention. Arrangements can similarly be made, after negotiations, for the extension of the Convention to the Faroe Islands and Greenland.

Article 15

This Convention shall be ratified, and the Instruments of Ratification shall be deposited at Copenhagen.

The Convention will enter into force as soon as all the Instruments of Ratification have been deposited, but not before the 1st January, 1958.

Each of the Contracting States may denounce the Convention upon giving six months' notice.

Each of the Contracting States may with immediate effect suspend the application of the Convention in relation to one or more of the other States in the event of war or danger of war or if any other special international or national circumstances render this necessary. In any such event the States concerned shall immediately be informed of the measures taken.

IN AFFIRMATION OF THIS the representatives of the respective States, being possessed of full powers to this effect, have signed the foregoing Convention and affixed their seals thereto.

DONE at Copenhagen this 12th day of July, 1957, in one original text in the Danish, Finnish, Norwegian and Swedish languages, of which the Danish Ministry of Foreign Affairs shall provide certified copies to the Governments of the other Contracting States.

(Signed) H. C. HANSEN

(Signed) Klaus SNELLMANN

(Signed) Paul KOHT

(Signed) Stig SAHLIN

[TRANSLATION — TRADUCTION]

A N N E X 1

GENERAL PRINCIPLES FOR PASSPORT CONTROL

Control over persons entering and departing by way of the land frontier shall be exercised at the passport-control points situated on the said frontier. Passport control in respect of railway passengers may also be carried out in the course of the journey to or from the frontier. In the case of passengers by sea or air, passport control shall be carried out at the Nordic seaport or Nordic airport of arrival or departure. Where a passenger departing for a non-Nordic State passes through a Nordic seaport or airport, a check shall be made at the last such seaport or airport to ensure that he has complied with the departure formalities.

With regard to the control procedure upon entry, the passport-control officer shall carefully inspect the passport, observing in particular the period for which it is valid, whether it is valid for the Nordic country or countries which its holder intends to visit, and whether its holder is identical with the person to whom it was issued. He shall also give attention to the possibility that the passport may be forged or falsified. If an entry permit is required, he shall verify that the person entering is in possession thereof, and if an entry card is required, he shall ensure that the said person surrenders such a card or supplies the particulars necessary for its preparation. The passport-control officer shall likewise investigate whether the person entering is included in the list of expelled aliens of any of the Contracting States. No such investigation shall, however, be required in respect of persons who reside in the vicinity of the frontier or are known to the passport-control staff or in respect of persons concerning whom such an investigation would obviously be pointless. The passport-control officer should also bear in mind the provisions in force concerning refusal of entry and should, if necessary, question the person entering or take other steps to determine whether the said person shall be permitted to enter. If the said person is permitted to enter, his passport shall be stamped with an entry stamp bearing the date and the name of the passport-control point. If he is refused entry, a notation to that effect may be made in his passport.

With regard to the control procedure upon departure, the passport-control officer shall carefully inspect the passport and, if there is a special reason for doing so, shall investigate whether the person departing is wanted by the police or if there is any other reason for preventing his departure. If the said person is permitted to depart, his passport shall be stamped with an exit stamp showing the place and date of departure.

A N N E X 2

CONTROL CARD FOR ENTRY AND DEPARTURE

The form for the entry and exit card shall be in two parts separated by a perforation. One part shall consist of the entry card, and the other of the exit card. The dimensions of each part shall be 105 × 148 mm. The form shall be printed on white pasteboard, and its content and arrangement shall be as indicated below.

[See pp. 264 and 265 of this volume.]

The entry card shall be stamped by the passport-control officer with an entry stamp and the initial letter of the State by which, as provided in article 3, the card is to be kept (D for Denmark, F for Finland, N for Norway and S for Sweden). A corresponding notation shall at the same time be made both in the passport and on the exit card.

On departure, the exit card shall be stamped with an exit stamp and the initial letter of the State to which the card is to be sent as provided in article 3.

The card shall be dispatched promptly and in such manner as the particular State considers appropriate.

The exit card should be kept by the traveller in his passport during his stay in the Nordic States.

A N N E X 3

PRINCIPLES GOVERNING THE SUPPLY OF INFORMATION AND THE UNDERTAKING OF INQUIRIES BY THE VARIOUS STATES ON EACH OTHER'S BEHALF

I. INFORMATION

The Contracting States shall supply each other with information in the following cases :

(1) If, while staying in one Nordic State, an alien as referred to in article 2 (a) or (b) applies for a visa extension or residence permit valid for a State other than the State responsible for exercising control (the control State), the State receiving such application shall so inform the control State. The decision taken on the application shall be communicated to the control State. If, as the result of a favourable decision on the application, the control provided for in article 3 passes to the State issuing the permit, this fact shall be communicated at the same time.

If an alien as mentioned above, not being in possession of a permit, is not allowed to leave, or is permitted to remain in, a State other than the control State, the latter State shall be duly notified thereof.

(2) If, while staying in one Nordic State, an alien as referred to in paragraph (1) is granted an initial visa valid for another Nordic State, the State granting the visa shall so inform the control State. If, as a result of the favourable decision on the application for the visa, the control provided for in article 3 passes to the State issuing the visa, this fact shall be communicated at the same time.

(3) If an alien who has been expelled from any Nordic State is granted an entry permit valid for another Nordic State, the latter State shall so inform the State or States from which the alien was expelled.

(4) If, on the basis of a certificate of removal or in some other manner, it comes to the knowledge of a Nordic State that an alien has departed for another Nordic State for the purpose of taking up permanent residence there, the latter State shall be notified thereof.

(5) If an alien other than as referred to in paragraph (1) applies for a residence permit valid for one Nordic State and at the same time has, or immediately before had, a residence permit valid for another Nordic State, the latter State shall be notified thereof.

(6) Information to the effect that an alien is to be included in or removed from the list of expelled aliens of each of the other States shall, if possible, be accompanied by a brief explanation of the reason for the request.

II. INQUIRIES

A. *Aliens from whom a control card is required*

If an exit card is not received by the control State within the proper time and that State has not been informed that the alien in question has applied for a residence permit valid for another Nordic State, the control State shall initiate an investigation into the whereabouts of the alien. An inquiry concerning the alien shall be addressed, in the first place, to the State where, on the basis of the available information concerning him, it seems probable that he is staying. If the State to which the inquiry is addressed has no information concerning the alien, and if it appears unlikely that he is staying in the control State, the investigation shall be continued through inquiries addressed to the other Nordic States. If the alien is found to be staying in one of the States, or if on the basis of the information brought to light it seems likely that he has left the Nordic States, a notice to this effect shall forthwith be sent to all States to which inquiries were directed.

An investigation shall be undertaken :

- (1) In the case of a direct inquiry addressed to only one State, within one week after the expiry of the permit;
- (2) In other cases :
 - (a) Where an alien requires a visa for all Nordic States or where a visa-free alien as referred to in article 9 has a special entry permit for one or more of the Nordic States, within fourteen days after the expiry of the permit having the latest expiration date;
 - (b) Where an alien requires a visa for one or more, but not all, Nordic States, within four months from the date of arrival in a Nordic State.

An inquiry as aforesaid should give the name, date of birth, place of birth, nationality and occupation of the alien, the date of his entry into a Nordic State, and particulars of visas, permits and other relevant matters. A State receiving an inquiry concerning an alien shall forthwith initiate an investigation into his whereabouts.

B. *Aliens other than those referred to in section A*

At the request of a Contracting State, the other States shall undertake an investigation into the whereabouts of aliens other than those referred to in section A. Such investigation shall be undertaken without delay as soon as the request is made.

A request for an investigation as aforesaid shall contain as much information as possible concerning the alien.