

No. 5375

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**BELGIUM, FRANCE, FEDERAL REPUBLIC  
OF GERMANY, LUXEMBOURG, NETHERLANDS, etc.**

**European Agreement on the abolition of visas for refugees.  
Done at Strasbourg, on 20 April 1959**

**Certificate by the Secretary-General of the Council of  
Europe for the correction of article 7, paragraph 1,  
of the above-mentioned Agreement. Done at Stras-  
bourg, on 10 September 1959**

*Official texts: English and French.*

*Registered on 28 September 1960 by the Council of Europe acting on behalf of the  
Contracting Parties, in accordance with Resolution (54) 6 of the Committee  
of Ministers of the Council of Europe adopted on 3 April 1954.*

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**BELGIQUE, FRANCE, RÉPUBLIQUE FÉDÉRALE  
D'ALLEMAGNE, LUXEMBOURG, PAYS-BAS, etc.**

**Accord européen relatif à la suppression des visas pour  
les réfugiés. Fait à Strasbourg, le 20 avril 1959**

**Procès-verbal du Secrétaire général du Conseil de l'Europe  
concernant la rectification du paragraphe premier de  
l'article 7 de l'Accord susmentionné. Fait à Strasbourg,  
le 10 septembre 1959**

*Textes officiels anglais et français.*

*Enregistrés le 28 septembre 1960 par le Conseil de l'Europe agissant au nom des  
Parties contractantes, conformément à la résolution (54) 6 du Comité des  
Ministres du Conseil de l'Europe, adoptée le 3 avril 1954.*

No. 5375. EUROPEAN AGREEMENT<sup>1</sup> ON THE ABOLITION OF VISAS FOR REFUGEES. DONE AT STRASBOURG, ON 20 APRIL 1959

The Governments signatory hereto, being Members of the Council of Europe, Desirous of facilitating travel for refugees residing in their territory, Have agreed as follows :

*Article 1*

1. Refugees lawfully resident in the territory of a Contracting Party shall be exempt, under the terms of this Agreement and subject to reciprocity, from the obligation to obtain visas for entering or leaving the territory of another Party by any frontier, provided that :

(a) they hold a valid travel document issued in accordance with the Convention on the Status of Refugees of 28th July 1951<sup>2</sup> or the Agreement relating to the issue of a travel document to refugees of 15th October 1946,<sup>3</sup> by the authorities of the Contracting Party in whose territory they are lawfully resident;

(b) their visit is of not more than three months' duration.

2. A visa may be required for a stay of longer than three months or for the purpose of taking up gainful employment in the territory of another Contracting Party.

*Article 2*

For the purposes of the present Agreement the " territory " of a Contracting Party shall have the meaning assigned to it by this Party in a declaration addressed to the Secretary-General of the Council of Europe.<sup>4</sup>

<sup>1</sup> In accordance with article 9, the Agreement came into force on 3 September 1960, one month after the date on which three Members of the Council of Europe had become Parties thereto in accordance with article 8, as indicated below :

	<i>Signature without reservation in respect of ratification</i>	<i>Deposit of instrument of ratification</i>
Belgium . . . . .	20 April 1959	
France . . . . .	20 April 1959	
Netherlands . . . . .		3 August 1960

<sup>2</sup> United Nations, *Treaty Series*, Vol. 189, p. 137; Vol. 190, p. 385; Vol. 191, p. 409; Vol. 199, p. 357; Vol. 200, p. 336; Vol. 201, p. 387; Vol. 202, p. 368; Vol. 214, p. 376; Vol. 223, p. 377; Vol. 230, p. 440; Vol. 237, p. 335; Vol. 252, p. 354; Vol. 253, p. 365; Vol. 254, p. 412; Vol. 261, p. 404; Vol. 270, p. 398; Vol. 278, p. 282; Vol. 346, p. 338; Vol. 354, p. 402; Vol. 363, p. 404, and Vol. 366, p. 414.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 11, p. 73; Vol. 76, p. 244; Vol. 82, p. 328; Vol. 91, p. 369; Vol. 97, p. 314, and Vol. 267, p. 362.

<sup>4</sup> In a letter received by the Secretariat General of the Council of Europe on 28 May 1959, the Minister for Foreign Affairs of the French Republic communicated the following declaration: [*Translation — Traduction*] The French Government declares that, in so far as it is concerned, the word " territory " means exclusively Metropolitan France.

### Article 3

To the extent that one or more Contracting Parties deem necessary, the frontier shall be crossed only at authorized points.

### Article 4

1. The provisions of this Agreement shall be without prejudice to the laws or regulations governing visits by aliens to the territory of any Contracting Party.
2. Each Contracting Party reserves the right to prohibit persons it deems to be undesirable from entering or staying in its territory.

### Article 5

Refugees who have entered the territory of a Contracting Party by virtue of the present Agreement shall be re-admitted at any time to the territory of the Contracting Party by whose authorities the travel document was issued, at the simple request of the first-mentioned Party, except where this Party has authorised the persons concerned to settle in its territory.

### Article 6

This Agreement shall not prejudice the provisions of any municipal law or bilateral or multilateral treaties, conventions or agreements now in force or which may hereafter enter into force, whereby more favourable terms are applied to refugees lawfully resident in the territory of a Contracting Party in respect of the crossing of frontiers.

### Article 7

1. Each Contracting Party reserves the option, for reasons of *ordre public*, security or public health, to delay the entry into force of this Agreement, or order the temporary suspension thereof in respect of all or some of the other Parties, except in so far as the provisions of Article 6 are concerned.<sup>1</sup> The Secretary-General of the Council of Europe shall immediately be informed when any such measure is taken and again when it ceases to be operative.
2. A Contracting Party which avails itself of either of the options provided for in the foregoing paragraph may not claim the application of this Agreement by another Party save in so far as it also applies it in respect of that Party.

<sup>1</sup> See certificate for the correction of this article, p. 96 of this volume.

*Article 8*

This Agreement shall be open to the signature of Members of the Council of Europe, who may become Parties thereto either by :

- (a) signature without reservation in respect of ratification, or
- (b) signature with reservation in respect of ratification, followed by ratification.

Instruments of ratification shall be deposited with the Secretary-General of the Council of Europe.

*Article 9*

1. The Agreement shall enter into force one month after the date on which three Members of the Council, in accordance with Article 8, shall have signed the Agreement without reservation in respect of ratification or shall have ratified it.
2. In the case of any Member who shall subsequently sign the Agreement without reservation in respect of ratification, or shall ratify it, the Agreement shall enter into force one month after the date of such signature or the date of deposit of the instrument of ratification.

*Article 10*

After this Agreement has entered into force the Committee of Ministers of the Council of Europe may, by unanimous vote, invite any Government not a Member of the Council, which is party either to the Convention on the Status of Refugees of 28th July 1951 or to the Agreement relating to the issue of a travel document to refugees of 15th October 1946, to accede to this Agreement. Such accession shall take effect one month after the date of deposit of the instrument of accession with the Secretary-General of the Council of Europe.

*Article 11*

The Secretary-General of the Council of Europe shall notify Member States of the Council and States acceding to this Agreement :

- (a) of every signature, with any reservations in respect of ratification, of the deposit of each instrument of ratification, and of the date on which the Agreement enters into force;
- (b) of the deposit of any instrument of accession in accordance with Article 10;
- (c) of any notification or declaration received in accordance with Articles 2, 7 and 12, and the date on which it takes effect.

*Article 12*

Any Contracting Party may terminate its own application of the Agreement by giving three months' notice to that effect to the Secretary-General of the Council of Europe.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Agreement.

DONE at Strasbourg, this 20th day of April, 1959,  
in English and French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary-General shall transmit certified copies to the signatory Governments.

For the Government  
of the Republic of Austria :

Pour le Gouvernement  
de la République d'Autriche :

For the Government  
of the Kingdom of Belgium :

Pour le Gouvernement  
du Royaume de Belgique :

P. WIGNY

For the Government  
of the Kingdom of Denmark :

Pour le Gouvernement  
du Royaume de Danemark :

For the Government  
of the French Republic :

Pour le Gouvernement  
de la République française :

M. COUVE DE MURVILLE

For the Government  
of the Federal Republic of Germany :  
with reservation in respect  
of ratification

Pour le Gouvernement  
de la République fédérale d'Allemagne:  
sous réserve de ratification

VON MERKATZ

For the Government  
of the Kingdom of Greece :

Pour le Gouvernement  
du Royaume de Grèce :

For the Government  
of the Icelandic Republic :

Pour le Gouvernement  
de la République islandaise :

For the Government  
of Ireland :

Pour le Gouvernement  
d'Irlande :

For the Government  
of the Italian Republic :

Pour le Gouvernement  
de la République italienne :

For the Government  
of the Grand Duchy of Luxembourg :  
with reservation in respect  
of ratification

Pour le Gouvernement  
du Grand-Duché de Luxembourg :  
sous réserve de ratification

E. SCHAUS

For the Government  
of the Kingdom of the Netherlands :

Pour le Gouvernement  
du Royaume des Pays-Bas :

Signé à Strasbourg, le 4 juin 1959  
sous réserve de ratification<sup>1</sup>

M. Z. N. WITTEVEEN

For the Government  
of the Kingdom of Norway :

Pour le Gouvernement  
du Royaume de Norvège :

For the Government  
of the Kingdom of Sweden :

Pour le Gouvernement  
du Royaume de Suède :

For the Government  
of the Turkish Republic :

Pour le Gouvernement  
de la République turque :

For the Government  
of the United Kingdom of Great  
Britain and Northern Ireland :

Pour le Gouvernement  
du Royaume-Uni de Grande-  
Bretagne et d'Irlande du Nord :

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<sup>1</sup> Signed at Strasbourg, on 4 June 1959.  
Subject to ratification.

CERTIFICATE BY THE SECRETARY-GENERAL OF THE  
COUNCIL OF EUROPE FOR THE CORRECTION OF  
ARTICLE 7, PARAGRAPH 1, OF THE EUROPEAN AGREE-  
MENT ON THE ABOLITION OF VISAS FOR REFUGEES,  
SIGNED AT STRASBOURG ON 20th APRIL, 1959.<sup>1</sup> DONE  
AT STRASBOURG, ON 10 SEPTEMBER 1959

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Noting that a textual error has occurred in Article 7, paragraph 1, of the “European Agreement on the Abolition of Visas for Refugees”, signed at Strasbourg on 20th April, 1959;<sup>1</sup>

Whereas the Ministers’ Deputies, at their 75th meeting held at Strasbourg from 7th to 10th September 1959, have signified the consent of their Governments to the correction of the aforesaid text;

The Secretary-General hereby certifies as follows :

In Article 7, paragraph 1, the words “except in so far as the provisions of *Article 6* are concerned” should be amended to read : “except in so far as the provisions of *Article 5* are concerned”.

DONE at Strasbourg, 10th September, 1959.

Lodovico BENVENUTI  
Secretary-General

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<sup>1</sup> See p. 86 of this volume.