

**No. 6157**

---

**SWEDEN  
and  
NORWAY**

**Agreement respecting frontier customs co-operation.  
Signed at Oslo, on 28 October 1959**

*Official texts: Swedish and Norwegian.*

*Registered by Sweden on 8 May 1962.*

---

**SUÈDE  
et  
NORVÈGE**

**Accord relatif à la coopération douanière à la frontière.  
Signé à Oslo, le 28 octobre 1959**

*Textes officiels suédois et norvégien.*

*Enregistré par la Suède le 8 mai 1962.*

[TRANSLATION — TRADUCTION]

No. 6157. AGREEMENT<sup>1</sup> BETWEEN SWEDEN AND NORWAY RESPECTING FRONTIER CUSTOMS CO-OPERATION. SIGNED AT OSLO, ON 28 OCTOBER 1959

---

The Royal Swedish Government and the Royal Norwegian Government, desiring to facilitate traffic between Sweden and Norway and, for that purpose, to simplify the customs control and the customs clearance of such traffic, have concluded the following agreement respecting frontier customs co-operation :

*Article 1*

The Contracting States shall, in the manner specified in this Agreement, co-operate in the customs control and customs clearance of traffic between the two States. Such co-operation shall be designated "frontier customs-co-operation" and shall be effected within control zones.

The control zones shall be constituted by an area fifteen kilometres in width situated on each side of and running along the frontier between the two States.

Each State may, in consultation with the other State, decide that another area within which frontier customs co-operation is desirable shall also form a control zone. Such control zone may comprise a length of road, a length of railway with one or more station areas, an airfield, a fairway or a port area.

The provisions of articles 2, 3, 4 and 6 as they apply inside a control zone shall also apply outside such zone in the case of a smuggling offence where the suspect is pursued in direct consequence of the commission thereof.

*Article 2*

The customs, import, export and other regulations of each State which concern traffic and the observance of which must be ensured by the customs authorities in the performance of the duties coming within the scope of frontier customs co-operation may be applied and enforced inside control zones in the territory of the other State in the course of the performance of customs functions for the State in which the said regulations were issued.

---

<sup>1</sup> Came into force on 1 January 1960, in accordance with article 11, the instruments of ratification having been exchanged at Stockholm on 30 December 1959.

Each State shall, through its central customs authorities, notify the corresponding authority of the other State beforehand which regulations are to apply when customs functions are being performed on its behalf in the territory of the other State. The said regulations shall be available for public inspection at all the custom-houses and customs posts in the control zones which come within the scope of frontier customs co-operation.

Coercive measures under the law of one State may be applied inside the control zones in the territory of the other State only for the purposes of investigations directly connected with a smuggling offence or an attempted smuggling offence.

#### *Article 3*

Each Contracting State undertakes to allow its customs officials to perform, inside control zones in the territories of both States, such custom functions on behalf of the other State as come within the scope of frontier customs co-operation.

#### *Article 4*

Each Contracting State undertakes to allow customs officials of the other State to perform inside control zones in its territory such customs functions on behalf of their own State as come within the scope of frontier customs co-operation.

Where customs functions are being performed on behalf of one State in the territory of the other State, the assistance of the police or, where appropriate, of the military authorities of the latter State may be requested for the purposes of applying coercive measures.

#### *Article 5*

If either of the Contracting States seizes goods in circumstances in which the law of both States has been violated, the goods shall be handed over to the competent authority of the State in whose territory they have been seized, unless special circumstances otherwise require.

#### *Article 6*

Any person who, having crossed or intended to cross the frontier, is apprehended inside the control zone along the frontier in the territory of one State on a reasonable suspicion of having committed an offence against the regulations referred to in article 2, first paragraph, may, unless there are special reasons for not doing so, be taken forthwith to the customs or police authorities of the other State, on condition that :

- (1) His identity is not known and he refuses to give his name and address, or there is reason to suspect that the particulars given by him in this regard are incorrect ;  
or
- (2) He is not domiciled in Sweden or Norway and there is reason to fear that by going to another country he will evade justice and punishment ; or
- (3) There is otherwise reason to presume that he will evade justice and punishment or will, through the removal of evidence or in some other manner, hamper the investigation of the case.

Where the person handed over to the authorities committed an offence before being thus handed over, he may not be prosecuted or punished for such offence unless it was an offence against the regulations referred to in article 2, first paragraph, nor unless :

- (1) Special authorization is given by the State in which he is apprehended ; or
- (2) He himself has, before a court, consented thereto ; or
- (3) He has failed, despite the absence of any obstacles to doing so, to leave the country within one month after being tried and having served the penalty or fulfilled any other obligation which may have been imposed upon him by reason of the offence for which he is being handed over ; or
- (4) He has returned to the country after leaving it.

The person handed over may not be extradited to a third State unless the State in which he was apprehended consents thereto.

The provisions of the second and third paragraphs shall not apply to a person who is domiciled in, and is a national of, the State to which he is handed over.

#### *Article 7*

The officials of one State shall, in the performance in the territory of the other State of acts coming within the scope of frontier customs co-operation, be granted the same official immunity from criminal liability as officials of the latter State.

#### *Article 8*

Each Contracting State shall give the central customs authorities of the other State particulars of the officials whom it has from time to time appointed to perform such customs functions for the other State as come within the scope of frontier

customs co-operation. Before the said officials may perform customs functions for the other State, they must be approved by the competent authorities of that State.

To the extent that officials of one State are required to perform customs functions for the other State, they shall be bound by the instructions received from the competent authority of the latter State. General instructions shall as far as possible be communicated through the central customs authority of the officials' own State.

#### *Article 9*

Each Contracting State undertakes, in the event of any of its officials committing a breach of his official duties or a breach of discipline while he is required to perform customs functions for the other State, to take proceedings in respect of the offence in the same way as though it had been committed while the official was in the service of his own State. Each State shall refrain from imposing penalties on officials of the other State in respect of any such breach of duties or discipline.

#### *Article 10*

Each Contracting State undertakes to make reparation for damage caused by any of its officials to the other State or to a third party by a wilful or negligent act during the performance of customs functions for the other State, in so far as the officials would be liable for the damage in virtue of the regulations of their own State. The customs officials shall not be personally liable to the other State.

#### *Article 11*

This Agreement shall be ratified, and the instruments of ratification shall be exchanged at Stockholm not later than 31 December 1959.

The Agreement shall come into force on 1 January 1960.

Either Contracting State may terminate the Agreement at two years' notice.

Either Contracting State may, after consultation so far as possible with the other State and without regard to the time limit specified in the preceding paragraph, suspend the Agreement wholly or in part in the event of war, a threat of war or other exceptional circumstances.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed the present Agreement and have thereto affixed their seals.

DONE at Oslo on 28 October 1959, in duplicate, in the Norwegian and Swedish languages, both texts being equally authentic.

Rolf EDBERG

[L. S.]

Halvard LANGE

[L. S.]

---