

No. 6961

**CZECHOSLOVAKIA
and
HUNGARY**

**Agreement on the regulation of frontier traffic. Signed at
Prague, on 16 October 1962**

Official texts: Czech and Hungarian.

Registered by Czechoslovakia on 11 October 1963.

**TCHÉCOSLOVAQUIE
et
HONGRIE**

**Accord relatif à la réglementation du trafic frontière. Signé à
Prague, le 16 octobre 1962**

Textes officiels tchèque et hongrois.

Enregistré par la Tchécoslovaquie le 11 octobre 1963.

[TRANSLATION — TRADUCTION]

No. 6961. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC AND THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC ON THE REGULATION OF FRONTIER TRAFFIC. SIGNED AT PRAGUE, ON 16 OCTOBER 1962

The Government of the Czechoslovak Socialist Republic and the Government of the Hungarian People's Republic, desiring to simplify the formalities for crossing of the Czechoslovak-Hungarian State frontier by nationals of the two States who are resident in the frontier traffic zones and thereby to strengthen and intensify the fraternal co-operation and friendship existing between the peoples of the two countries, have decided to conclude an Agreement on the regulation of frontier traffic and for this purpose have appointed as their plenipotentiaries :

The Government of the Czechoslovak Socialist Republic :
Jindřich Kotal, Deputy Minister for the Interior;

The Government of the Hungarian People's Republic :
László Földes, First Deputy Minister for the Interior,

who, having exchanged their full powers, found in good and due form, have agreed as follows :

PART I

GENERAL PROVISIONS

Article 1

1. The frontier traffic zones along the Czechoslovak-Hungarian State frontier shall be deemed to comprise areas fifteen kilometres wide—as a general rule—in the territory of each State. Frontier traffic shall be deemed to comprise those relations between the inhabitants of the two frontier traffic zones which are regulated by this Agreement.

2. The list of communes included in the frontier traffic zones shall be drawn up jointly by the competent authorities of the Contracting Parties. The frontier

¹ Came into force on 8 July 1963, thirty days after the exchange of notes on 8 June 1963, confirming the approval of the Agreement by the Contracting Parties pursuant to their constitutional procedures, in accordance with article 21 (1).

traffic zones shall include the entire administrative district of the communes specified in the list, as well as those communes and populated places which, although not specified in the list, are under the same administration as any commune specified therein.

Article 2

A person may take part in frontier traffic only if he is a Czechoslovak or Hungarian national, domiciled in the frontier traffic zone of one of the Contracting Parties, against whom there is no objection on criminal grounds or under customs regulations.

PART II

TRAVEL DOCUMENTS REQUIRED FOR FRONTIER TRAFFIC

Article 3

1. Frontier traffic shall take place on the basis of frontier passes, which shall be either "single-crossing frontier passes" or "permanent frontier passes". Both types of frontier pass shall have Slovak and Hungarian texts; models for them shall be drawn up jointly by the competent authorities of the Contracting Parties.

2. Frontier passes shall be issued by the competent authorities of the Contracting Parties and shall be valid without prior visaing by the frontier authorities of the other Contracting Party, subject to the provisions of article 9, paragraph 1.

Article 4

1. Single-crossing frontier passes shall entitle the holder to enter the frontier traffic zone of the other Contracting Party once and return therefrom. The holder may cross the State frontier within fourteen days from the date of issue of the pass and shall return before the expiry of the fifth day after the date on which he crosses the State frontier. Single-crossing frontier passes may not be extended as regards either the date of departure or the date of return.

2. If the holder of a single-crossing frontier pass suffers an accident or becomes ill in the territory of the other Contracting Party and is thereby prevented from returning before the expiry of the fifth day, he shall, on his return, state the reasons for his lateness and present confirmation of his statement by the competent authorities.

3. A single-crossing frontier pass shall not, as a general rule, be issued to the same person more than once a year. Exceptions may be made in especially justified cases.

4. Czechoslovak nationals under the age of fifteen years and Hungarian nationals under the age of sixteen years shall, if travelling with their parents or adoptive parents, be registered in the said parents' or adoptive parents' single-crossing frontier pass and shall, if travelling alone, be issued a pass bearing a photograph.

Article 5

1. A single-crossing frontier pass may be issued to a person intending to appear before a judicial or administrative authority in the frontier traffic zone of the other Contracting Party for the purpose of settling personal affairs, either at his own request or in response to a summons or invitation from the said authority.

2. A single-crossing frontier pass may also be issued to a person intending to pay a visit in the frontier traffic zone of the other Contracting Party for family reasons, i.e., in the event of marriage, birth, death or serious illness among relatives of such person or his spouse or among persons close to him (parents, children, brothers, sisters, brothers or sisters of parents, grand-parents, grandchildren, adoptive parents or adopted children) who are resident in the frontier traffic zone of the other Contracting Party. In such cases, a single-crossing frontier pass may be issued not only to the applicant but also to his spouse and their children.

3. The authorities issuing the pass may require the applicant to submit confirmation by an institution or authority of the other Contracting Party (national committee, council, court, public security authority, hospital or the like) that the frontier crossing is to be made for the reasons indicated in paragraph 1 or in paragraph 2 of this article.

Article 6

1. Permanent frontier passes may be issued to persons employed in the frontier traffic zone of the other Contracting Party. Such passes shall be valid for a period not exceeding twelve months. A permanent frontier pass shall entitle the holder to repeated stays of not more than six days in the frontier traffic zone of the other Contracting Party, not including the day of the crossing of the State frontier. In exceptional cases, the authorities issuing the pass may extend the permissible continuous stay to a period not exceeding sixty days.

2. A permanent frontier pass issued to permit the use of roads and land in the territory of the other Contracting Party shall entitle the holder to repeated stays

of not more than one calendar day in the frontier traffic zone of the other Party. The said pass shall entitle the holder to a longer stay only in exceptional and urgent cases agreed upon by the frontier commissioners of the Contracting Parties.

Article 7

1. A permanent frontier pass shall be issued only on application by the employer. Upon the termination of the employment for which the pass was issued, the employer shall recover the pass from the employee and return it to the issuing authority.

2. The authorities issuing frontier passes shall notify the competent authorities of the other Contracting Party in advance concerning each application for a permanent frontier pass which they intend to approve. Such notification shall contain the following particulars : given name, surname, date and place of birth, domicile, and the reasons justifying the issue of the pass. The pass shall not be issued if, within a period of fifteen days from the date of receipt of the notification, the authorities of the other Contracting Party declare that they object to the issue of the pass. The consent of the authorities of the other Contracting Party shall not be required for an extension of the pass.

3. The competent authorities of each Contracting Party shall cancel a pass already issued if any of the conditions justifying its issue cease to exist or if the holder no longer fulfils the conditions specified in article 2 of this Agreement.

4. The competent authorities of each Contracting Party shall, at the request of the authorities of the other Contracting Party, cancel a pass already issued or refuse its reissue.

5. Co-operation between the competent authorities of the Contracting Parties in giving effect to the provisions of paragraphs 1, 2 and 3 of this article shall be arranged through the frontier commissioners as necessary.

PART III

REGULATIONS GOVERNING FRONTIER TRAFFIC

Article 8

1. A frontier pass shall entitle the holder to cross the State frontier solely at the frontier crossing point specified therein and to stay in the localities specified therein. The frontier crossing point specified shall be one situated as near as possible to the locality for which the frontier pass is valid.

2. In justified cases, more than one frontier crossing point may be specified in the frontier pass.

3. The list of frontier crossing points, their nature and location, and the times at which the State frontier may be crossed at the various frontier crossing points shall be determined jointly by the competent authorities of the Contracting Parties.

Article 9

1. In justified cases, the frontier authorities of the Contracting Parties may, on prior application, authorize the crossing of the State frontier at points other than frontier crossing points. In such cases, the frontier pass shall be submitted to the frontier authorities of the other Contracting Party for visaing.

2. A single-crossing frontier pass may specify one commune or two adjacent communes to which the holder of the pass may travel. In exceptional cases, additional communes situated not more than forty kilometres from one another may be specified, provided that the holder does not leave the frontier traffic zone during such travel.

Article 10

1. During his stay in the territory of the other Contracting Party, the holder of a frontier pass shall observe the legal provisions in force in the host country, particularly those relating to aliens.

2. A person may be deprived of the privilege of taking part in frontier traffic :

- (a) If the competent authorities of the other Contracting Party object to him on criminal grounds or under customs regulations;
- (b) If during his stay in the territory of the other Contracting Party he has, through his own fault, failed to fulfil the obligations laid down in this Agreement.

PART IV

CUSTOMS PROVISIONS

Article 11

1. Goods may be conveyed across the State frontier as part of frontier traffic solely through customs channels.

2. The holder of a permanent frontier pass may convey the following articles across the frontier without an export or import permit and free of customs duties and other charges :

- (a) Food, medicaments and tobacco products, in specified quantities;
- (b) Implements required for the exercise of an occupation or the performance of prescribed work, if they are explicitly enumerated in the pass; and
- (c) Goods received as payment in kind for work performed, provided that such payment is certified by the employer and the competent local authority.

3. The holder of a single-crossing frontier pass may take with him travel necessities, food, tobacco products and gift articles, in specified quantities.

4. Persons cultivating land in the frontier traffic zone of the other Contracting Party may convey across the frontier, without a permit and free of customs duties and other charges, the products derived from such land and the materials required for its cultivation.

5. Regulations prohibiting or restricting the exchange of goods and the export or import of valuables which are subject to foreign exchange regulations shall also apply to frontier traffic.

6. The quantity and nature of the articles which may be conveyed across the State frontier by persons taking part in frontier traffic shall be determined jointly by the competent authorities of the Contracting Parties.

Article 12

1. Participants in frontier traffic may also convey across the frontier :

- (a) Passenger or goods, motor vehicles, motorcycles, bicycles, tractors, teams of draught animals, including towing equipment and working machinery if necessary, and other vehicles, without deposit of customs security and without registration, provided that the means of transport in question specified in their frontier pass;
- (b) The required amounts of fuel in a tank firmly attached to the vehicle, of equipment for the vehicle or working machinery, of spare parts and of fodder.

2. The time-limit for the return of the vehicles, teams and machinery referred to in paragraph 1 (a) shall be the same as the period of validity of the frontier pass.

3. Motor vehicles used in frontier traffic shall be subject to the requirement of liability insurance and to other provisions in force.

Article 13

1. Where absolutely necessary, domestic animals (except poultry) may be conveyed across the State frontier for grazing or watering in the frontier traffic zone of the other Contracting Party. In such cases, the States frontier may be crossed only at the points and times agreed upon by the frontier authorities of the Contracting Parties.

2. Domestic animals conveyed across the State frontier must be specified in a certificate stating the name of the owner, the number, species, sex and distinguishing marks of the animals, and the reason for crossing the State frontier. The certificate shall be issued by the local national committee or council competent for the owner's place of domicile; the person accompanying the animals must hold a permanent frontier pass.

Article 14

Domestic animals which have strayed across the State frontier may, upon proof of ownership, be returned free of customs duties and other charges.

PART V

SPECIAL PROVISIONS

Article 15

1. In the event of a natural disaster in the frontier traffic zone of one Contracting Party, the emergency services of the other Contracting Party may cross the State frontier without a frontier pass, provided that their assistance has been requested by the competent authorities of the Contracting Party in whose territory the natural disaster took place. Such requests shall be made through the frontier authorities.

2. In the event of a forest fire on the State frontier, where delay is likely to prove dangerous, fire-fighting detachments may intervene even if their assistance has not been requested.

3. The State frontier may also be crossed without a frontier pass by workers of the health or veterinary services whose assistance has been requested in circumstances involving danger to the life or health of persons or animals.

4. The persons referred to in paragraphs 1, 2 and 3 of this article may cross the State frontier at any point, shall be entitled to remain in the frontier traffic zone of the other Contracting Party as long as their presence is absolutely necessary, and may take with them, without a special permit, all articles which they require in order to provide assistance. They shall return at the nearest frontier crossing point.

5. In the event of flood or fire or in other justified cases in which the life or health of residents of a frontier traffic zone is endangered, they may cross the State frontier into the territory of the other Contracting Party without a frontier pass at any point if that is necessary for the protection of their life or health. They shall, however, report without delay to the local authorities of the other Contracting Party.

Article 16

Participants in frontier traffic may be issued currency of the other State to cover necessary expenditure during their stay in the frontier traffic zone of the other Contracting Party, in an amount appropriate to the purpose and duration of the stay. The detailed arrangements shall be made by the competent authorities of the Contracting Parties.

Article 17

In cases significantly affecting the economic interests of one or both of the Contracting Parties, the competent authorities of the Contracting Parties may agree on the use of roads, land or equipment situated in the frontier traffic zone of the other Contracting Party. They may, where necessary, fix special conditions for such use.

Article 18

The mortal remains of persons who have died in a frontier traffic zone and are to be buried in the frontier traffic zone of the other Contracting Party shall be conveyed across the frontier, subject to simplified formalities, on the basis of an official medical certificate issued by the competent health authority. This shall not apply to the conveyance of mortal remains where death resulted from a contagious disease.

PART VI
FINAL PROVISIONS

Article 19

The Contracting Parties may, in case of absolute necessity arising from health, veterinary or plant-protection considerations, temporarily restrict the facilities extended under this Agreement. Such restrictions shall, where possible, be discussed beforehand with the competent authorities of the other Contracting Party. As soon as the reasons for the restrictions have ceased to exist, the facilities in question shall once more be extended in full, upon prior notification of the competent authorities of the other Contracting Party.

Article 20

The Contracting Parties shall inform each other of the authorities competent to apply the various provisions of this Agreement and of any changes made in that regard.

Article 21

1. This Agreement shall be subject to approval in accordance with the constitutional provisions of the Contracting Parties. It shall enter into force thirty days after the date on which the two Parties notify each other in writing of such approval.

2. Upon the entry into force of this Agreement, the Agreement between the Czechoslovak Republic and the Hungarian People's Republic on the regulation of frontier traffic, signed at Bratislava on 7 April 1952, shall cease to have effect.

3. This Agreement is concluded for a term of five years from the date of its entry into force and shall be extended for additional five-year terms until such time as one of the Contracting Parties denounces it in writing not later than six months before the expiry of the current five-year term.

This Agreement has been drawn up in duplicate in the Czech and Hungarian languages, both texts being equally authentic.

IN WITNESS WHEREOF the plenipotentiaries of the Contracting Parties have signed this Agreement and have thereto affixed their seals.

Prague, 16 October 1962.

For the Government
of the Czechoslovak Socialist
Republic :

J. KOTAL

For the Government
of the Hungarian People's
Republic :

FÖLDES László