

No. 7358

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**CZECHOSLOVAKIA  
and  
GERMAN DEMOCRATIC REPUBLIC**

**Agreement concerning railway traffic between the Czechoslovak Republic and the German Democratic Republic.  
Signed at Berlin, on 24 October 1955**

*Official texts: Czech and German.*

*Registered by Czechoslovakia on 6 August 1964.*

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**TCHÉCOSLOVAQUIE  
et  
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

**Accord relatif au trafic ferroviaire entre la République tchécoslovaque et la République démocratique allemande. Signé à Berlin, le 24 octobre 1955**

*Textes officiels tchèque et allemand.*

*Enregistré par la Tchécoslovaquie le 6 août 1964.*

[TRANSLATION — TRADUCTION]

No. 7358. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC AND THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC CONCERNING RAILWAY TRAFFIC BETWEEN THE CZECHOSLOVAK REPUBLIC AND THE GERMAN DEMOCRATIC REPUBLIC. SIGNED AT BERLIN, ON 24 OCTOBER 1955

The Government of the Czechoslovak Republic and the Government of the German Democratic Republic, desiring to regulate railway traffic between the two countries, have agreed to conclude an agreement in the following terms, and for this purpose have appointed as their plenipotentiaries :

The Government of the Czechoslovak Republic :

Mr. Jan Kalina, First Deputy of the Minister of Transport,

The Government of the German Democratic Republic :

Mr. Fritz Szczepecki, Secretary of State and First Deputy of the Minister in the Ministry of Transport,

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

CHAPTER I

GENERAL PROVISIONS

*Article 1*

FRONTIER RAILWAY CROSSING POINTS

(1) The following frontier railway crossing points shall be designated for railway traffic between the two countries :

- (a) Vojtanov – Radiumbad Brambach,
- (b) Kraslice – Klingenthal,
- (c) Potůčky – Johanngeorgenstadt,
- (d) Vejprty – Bärenstein,
- (e) Hora sv. Šebastiana – Reitzenhain,
- (f) Moldava v Krušných horách – Hermsdorf-Rehefeld,
- (g) Děčín – Bad Schandau,
- (h) Dolní Poustevna – Sebnitz (Sachs),

<sup>1</sup> Came into force on 15 February 1956, the date of the exchange of notes of approval, in accordance with article 26.

- (i) Jiříkov – Ebersbach (Sachs),
- (j) Varnsdorf – Seifhennersdorf,
- (k) Varnsdorf – Grossschönau (Sachs),
- (l) Hrádek nad Nisou – (Polish territory) – Zittau.

(2) The railway administrations of the two Contracting Parties shall agree which of the frontier railway crossing points enumerated in paragraph (1) shall be opened and for what type of railway traffic; they shall also agree on the closing of a crossing point, if necessary, or a restriction of railway traffic at such points.

(3) The transit and connecting services on every railway section connecting the territory of the Czechoslovak Republic with that of the German Democratic Republic shall be operated jointly in an interchange station to be agreed upon by the railway administrations of the two Contracting Parties. However, the railway administrations of the Contracting Parties may, for the purpose of regulating the transit service at a frontier railway crossing point, designate two interchange stations, one of which shall be in the territory of one Contracting Party and the other in the territory of the other Contracting Party. The interchange station shall be a station of one of the railway administrations in which the two railway administrations deliver and receive each other's trains.

(4) Frontier, customs, veterinary, plant-protection and other inspection services, if any, shall be conducted by the authorities of each Contracting Party in its own territory. Both Contracting Parties may, however, agree as to which of the aforementioned inspection services shall be conducted jointly in the interchange station.

## *Article 2*

### OPERATION OF SERVICES ON THE FRONTIER SECTION OF THE LINE

(1) Services on the frontier section of a line, i.e. the section of the line between the interchange station and the international frontier, shall be operated by the railway administration of the State in whose territory the said section lies.

(2) Train despatching on this frontier section of the line in the transit and connecting services shall be carried out by the railway administration of the other Contracting Party.

(3) In order to obtain that services shall be offset by similar services in despatching operations the railway administrations of the two Contracting Parties

shall determine in a special agreement the way in which the offsetting of services by similar services shall be achieved at a railway frontier crossing point where two interchange stations have been designated.

### *Article 3*

#### WRITTEN AND ORAL COMMUNICATION IN THE INTERCHANGE AND CONNECTING SERVICES

(1) The official language of the country in which the interchange station is situated shall be used in oral and written communications.

(2) Both Contracting Parties shall ensure that employees who perform their duties in the interchange stations and in the trains on the frontier sections have sufficient command of the official language of the other Contracting Party to enable them to make themselves understood to travellers and to the employees of that Contracting Party.

### *Article 4*

#### MARKING OF OFFICIAL PREMISES

(1) Each Contracting Party shall be entitled to have official premises used exclusively by its employees in the interchange station marked with its own inscriptions. Such inscriptions shall be in the official language of the two States, and the text in the official language of the State in whose territory the interchange station is situated shall precede the text in the official language of the other State.

(2) Official announcements and other notices not of an official character to be posted in or on official premises of the authorities of the other Contracting Party in the interchange station, shall first be submitted to the competent departmental supervisor in the interchange station or, in the case of the inspection services, the competent supervisor of the inspection service concerned.

(3) Each Contracting Party shall be entitled to fly its State flag on the official premises used exclusively by its employees in the interchange stations, and to have such premises decorated.

### *Article 5*

#### SAFE-GUARDING OF PERSONNEL ON DUTY

(1) Employees serving in the interchange station and on the frontier section of the railway line shall be required, in the interests of efficient service, to act in a manner consistent with the friendly relations existing between the two Contracting Parties, and to conduct themselves properly both on and off duty.

(2) Employees of the Contracting Parties serving in the interchange station and on trains on the frontier section in the territory of the other Contracting Party shall perform their duties in accordance with the laws and regulations of their own State.

(3) Such employees shall keep order in the official premises for their exclusive use and shall be authorized to prevent unauthorized persons from remaining there. The competent authorities shall be obliged to give protection and assistance to the employees of the other Contracting Party if requested to do so.

### *Article 6*

#### LEGAL STATUS OF EMPLOYEES OF THE CONTRACTING PARTIES

(1) The nationality and conditions of employment of the employees employed in the interchange station and the frontier section in the territory of the other Contracting Party shall not be affected by their presence in that territory.

(2) The employees referred to in paragraph (1) shall be exempt vis-à-vis the other Contracting State from all direct taxes, duties and charges, in so far as such taxes, duties and charges arise in connexion with income from their work as such.

(3) The employees referred to in paragraph (1) shall enjoy the same legal remedy as the nationals of the State in whose territory they are present.

(4) Unless otherwise prescribed in this Agreement, employees of each Contracting Party employed on official business on the territory of the other Contracting Party shall be obliged to comply with the law in force there.

(5) Employees of each Contracting Party shall be answerable to their superiors for offences committed in the course of their duties in the territory of the other Contracting Party.

(6) Each Contracting Party shall be entitled to demand the removal of employees of the other Contracting Party. The latter shall be obliged to comply with such a request. Reasons for the request for removal shall, as far as possible, be supplied on request.

(7) If criminal proceedings are taken against an employee of one Contracting Party in the territory of the other Contracting Party, the officer responsible for the employee in question shall be informed immediately. At the same time all necessary steps shall be taken for the protection of the interests of the Contracting Party whose employee is involved, specially such steps as are necessary to ensure efficient conduct of the service.

*Article 7*

## MEDICAL TREATMENT

In the event of sickness or accident, employees of each Contracting Party shall be given first aid free of charge in the territory of the other Contracting Party. The cost of medical care shall be borne by the insurance carrier of such employees.

*Article 8*

## WEARING OF UNIFORMS

Employees of one Contracting Party engaged in the performance of their duties in the territory of the other Contracting Party shall be entitled to wear their uniforms or service badges both on and off duty in the territory of that Party.

*Article 9*

## REPRESENTATION AND NUMBER OF EMPLOYEES

(1) The railway administration of each Contracting Party shall be entitled in the interest of its own service and in the interest of the interchange and connecting services to be duly represented in the interchange station situated in the territory of the other Contracting Party.

(2) Each Contracting Party shall limit the number of employees in the territory of the other Contracting Party to the absolute minimum.

*Article 10*

## SAFEGUARDING OF RAILWAY TRAFFIC BETWEEN THE TWO COUNTRIES

(1) Both Contracting Parties shall ensure that the transit and connecting services are operated smoothly and rapidly.

(2) The railway administrations of the Contracting Parties shall report to each other any difficulties which restrict regular railway traffic between the two States or make it difficult or impossible or which might adversely affect the railway traffic of the other Contracting Party.

(3) Difficulties at the interchange station and on the frontier section shall be dealt with by the railway administration of the Contracting Party on whose territory the difficulties arise. The railway administrations of the two Contracting Parties shall upon request and payment of the expense involved provide each other with staff, rolling stock and materials subject to the exigencies of their own service.

*Article 11*

## EXECUTION OF THE AGREEMENT

The railway administrations of the two Contracting Parties and, if inspection services in the interchange station are operated jointly, the competent authorities for such services, shall conclude special agreements for the purpose of giving effect to this Agreement.

## CHAPTER II

## RAILWAY, POSTAL AND INSPECTION SERVICES

*Article 12*

## EQUIPPING OF THE INTERCHANGE STATION

(1) The interchange station shall be equipped at the expense of the railway administration of the State in whose territory the interchange station is situated (hereinafter referred to as the "owner railway administration"). In doing so the administration shall take into account the requirements of the railway traffic between the two countries.

(2) The railway administration shall refund to each other the cost of the use of installations and of buildings and parts thereof which they make available in the interchange station for the purposes of the railway, postal or inspection services of the other Contracting Party.

*Article 13*

## SUPERVISION AND MAINTENANCE OF INSTALLATIONS AND EQUIPMENT

The owner railway administration shall supervise, maintain and replace at its expense the installations and equipment in the interchange station and on the frontier section.

*Article 14*

## OPERATION OF THE RAILWAY SERVICE

Unless otherwise agreed between the railway administrations, the regulations of the railway administration whose stations and lines are used shall be applicable to railway operations.

*Article 15*

## OFFICIAL TELEGRAMS AND CORRESPONDENCE

Official railway telegrams and correspondence shall be conveyed in accordance with international agreements or special agreements between the railway administrations of the Contracting Parties.

*Article 16*

## SCHEDULES

(1) The railway administrations of the Contracting Parties shall establish schedules so that neither passenger nor goods trains are detained longer than is necessary for railway operations and the inspection services specified in article 1, paragraph (4).

(2) Trains shall not be dispatched from the interchange station until the frontier and customs examination is completed. The customs examination of travellers and their baggage shall not, however, as a rule, be held a reason for detaining trains beyond the time provided in the schedule.

*Article 17*

## DELIVERY OF COACHES AND WAGONS

Passenger coaches, baggage vans and goods wagons shall be handed over in accordance with international or special agreements.

*Article 18*

## FARES

(1) The railway administrations of the Contracting Parties shall establish their fares to and/or from the international frontier.

(2) Receipts from fares for transportation on the frontier section shall go entirely to the railway administration of the State in whose territory the frontier section is situated.

*Article 19*

## SAFETY AND TELECOMMUNICATION INSTALLATIONS

(1) The railway administrations of the Contracting Parties shall install and maintain in good condition such safety and telecommunication installations as are necessary for railway traffic between the two countries. The railway



administrations shall be entitled in exceptional cases to make arrangements in deviation from this principle. The telecommunication lines between the interchange station and the frontier station shall not be connected with the domestic system.

(2) Employees of the other Contracting Party shall be entitled to use the telecommunication installations referred to in paragraph (1) belonging to the owner railway administrations for official purposes free of charge.

(3) The use of the railway telecommunication equipment for private purposes shall be prohibited.

#### *Article 20*

##### POSTAL SERVICE

(1) Mail between the two countries and mail in transit between the postal administrations of the two Contracting Parties shall be exchanged in the interchange stations by employees of those administrations in accordance with the provisions of the Acts of the Universal Postal Union and the relevant agreements concluded between the two postal administrations.

(2) By agreement between the competent railway and postal administrations, mail containing letter-cards may also be exchanged by employees of the railway administrations.

(3) The postal administration of the Contracting Party in whose territory the interchange station is situated shall, if requested by the employees of the postal administration of the other Contracting Party, provide a suitable room for the duration of their stay on repayment of the cost.

#### *Article 21*

##### JOINT OPERATION OF INSPECTION SERVICES IN THE INTERCHANGE STATION

(1) The railway administration of the State in whose territory the interchange station is situated shall provide suitable premises for the inspection services of the other Contracting Party in the interchange station.

(2) The inspection services established in the interchange station in the territory of the other Contracting Party shall be equipped with a special telephone connecting them with the competent inspection services in the territory of the home State. Responsibility for the installation of the telephone connexion shall be agreed between the authorities of the inspection services concerned in accordance with article 11.

(3) The regulations of both Contracting Parties shall be applicable to the operation of the inspection services enumerated in article 1, paragraph (4) in the interchange stations and on the frontier sections. The inspection services of the exit State shall take precedence over the inspection services of the entry State.

(4) Persons employed by the inspection services in the interchange station of one Contracting Party shall be entitled to perform their duties in the interchange stations and in trains on the frontier section in the same manner, and subject to the same restrictions and legal consequences as in the territory of their own State. These employees, and the staff of the supervisory authority to which they are subordinate, shall be entitled to free travel on the frontier section situated in the territory of the other Contracting Party.

(5) Members of the inspection services shall be entitled to carry or cause to be carried, free of charge, documents and objects connected with their official duties, in particular confiscated goods, money in any form and precious metals and objects made therefrom as well as amounts collected by the customs authorities in respect of duty, taxes and dues in the currency of their State in the frontier section situated in the territory of the other Contracting Party.

### *Article 22*

#### SECURITY AND ORDER IN THE RAILWAY AREA

The competent authorities of the State in whose territory the interchange station and the frontier section are situated shall ensure the maintenance of security and order in the interchange station and on the frontier section.

### *Article 23*

#### LIABILITY

(1) The owner railway authority shall be liable to third parties for damages and accidents which occur in the transit and connecting services in the interchange station and on the frontier section.

(2) Compensation for damages and accidents between the railway administrations of the two Contracting Parties and also the right of recovery of the owner railway administration from the railway administration of the other Contracting Party under paragraph (1) shall be regulated by a special agreement between the railway administrations.

(3) International regulations shall apply to the liability of the railway administrations as determined by traffic and freight conventions.

## CHAPTER III

## FRONTIER AND CUSTOMS REGULATIONS

*Article 24*

## FRONTIER AND CUSTOMS EXAMINATION

(1) In the event of a change in the time-table the time-tables must be notified at least fifteen days in advance to the frontier and customs authorities of the two Contracting Parties. Any other change in the time-table, train cancellations, delays of more than thirty minutes and the running of special trains and locomotives over the international frontier must be communicated to them in due time.

(2) Passenger, baggage, express freight and ordinary freight traffic shall be carried via the opened frontier crossing points both by day and by night.

(3) The right of the frontier and customs authorities to accompany trains as far as the interchange station in the performance of their duty shall be governed by the mutual agreements between the frontier and customs authorities of the two States.

(4) All employees of the other Contracting Party engaged in the interchange and connecting services shall, on crossing the international frontier, be subject to frontier and customs inspection.

(5) Installations and furnishings for official premises, articles for the official use of the employees and railway supplies required for improvements and maintenance, in addition to the objects enumerated in article 21, paragraph 5, may be imported and exported free of customs duties and dues without special permission.

(6) Employees employed on official business in the interchange station in the territory of the other Contracting Party shall be permitted to import and export free of customs duties articles for their personal use and a reasonable quantity of food, drink and tobacco for the duration of their stay without special permission.

(7) The import and export of money shall be governed by the currency regulations of the two Contracting Parties.

*Article 25*CROSSING OF THE INTERNATIONAL FRONTIER AND STAY IN THE TERRITORY  
OF THE OTHER CONTRACTING PARTY

(1) Employees of the two Contracting Parties who cross the State frontiers in the performance of their duties in the transit and connecting services must

be in possession of identification documents. The form of these identification documents and the delivery thereof shall be governed by the regulations of the State whose employees are concerned. The documents must contain sufficient particulars to identify the holder in addition to information concerning the purpose and place of crossing and the period for which the documents are valid. The competent authorities of both States shall reserve the right to require the documents of employees of the other Contracting Party to be submitted for purposes of certification.

(2) Persons employed on breakdown trains and snow-ploughs shall cross the international frontier by virtue of a service pass bearing a photograph and in conjunction with a nominal roll in Czech and German prepared by the station-master of the interchange or frontier station. The nominal roll must bear the stamp and signature of the station-master of the interchange or frontier station. The stamp must be placed immediately below the last name entered so that no further names can be added. The international frontier may be crossed by virtue of the nominal roll, provided that the competent frontier authorities of the interchange or frontier station of the other Contracting Party have been notified thereof and have approved of the crossing. All employees who cross the international frontier by virtue of the nominal roll must return. The nominal roll shall be made out in triplicate, and when the frontier is crossed one copy shall be given to each of the frontier authorities of the two States. The third copy shall be handed back to the issuing authority upon return. Employees must prove their identity to the frontier authorities by means of the service passes and the nominal rolls.

(3) Employees of one Contracting Party shall not be permitted to leave the railway area of the interchange station and of the frontier section of the other Contracting Party. Employees responsible for the maintenance of the installations may enter the territory of the other Contracting Party as far as the maintenance frontier.

(4) Employees of the two Contracting Parties responsible for inspection, the investigation of accidents and other investigations in the transit and connecting services, shall cross the international frontier in accordance with the provisions of paragraph 1.

(5) Every other employee of the two Contracting Parties shall be in possession of a regular passport bearing a valid visa in order to cross the international frontier.

#### CHAPTER IV

### FINAL PROVISIONS

#### *Article 26*

This Agreement shall enter into force when the two Governments inform each other that ratification has been completed.

Each Contracting Party shall be entitled to denounce the Agreement in writing by giving six months' notice.

DONE in duplicate in the Czech and German languages, both texts being equally authentic.

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

Berlin, 24 October 1955.

For the Government  
of the Czechoslovak Republic :

For the Government  
of the German Democratic Republic :

KALINA

SZCZEPECKI

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