

No. 7094

**NETHERLANDS
and
FEDERAL REPUBLIC OF GERMANY**

**Agreement (with annexes) concerning minor frontier traffic.
Signed at Bonn, on 3 June 1960**

Official texts: Dutch and German.

Registered by the Netherlands on 4 February 1964.

**PAYS-BAS
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord (avec annexes) relatif au petit trafic frontalier.
Signé à Bonn, le 3 juin 1960**

Textes officiels néerlandais et allemand.

Enregistré par les Pays-Bas le 4 février 1964.

[TRANSLATION — TRADUCTION]

No. 7094. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING MINOR FRONTIER TRAFFIC. SIGNED AT BONN, ON 3 JUNE 1960

The Government of the Kingdom of the Netherlands and the Government of the Federal Republic of Germany,

Desiring to facilitate the movement of persons in the frontier area of both countries, have concluded the following Agreement :

CHAPTER I

MINOR FRONTIER TRAFFIC OUTSIDE OFFICIAL CROSSING POINTS

Article 1

Residents of the frontier area who on account of local circumstances have reasonable grounds for crossing the common frontier regularly outside the official crossing points may, in accordance with the provisions of this Agreement be authorized to do so, and also to remain temporarily in the other part of the frontier area, subject to withdrawal of such authorization.

Article 2

The frontier area shall be determined through an exchange of notes. It may be modified through an exchange of notes.

Article 3

(1) To cross the frontier and remain temporarily in the other part of the frontier area a person shall require a permit corresponding to the model in annex 1,² which shall be issued to a Netherlands national if he holds a valid national passport or a national passport which has expired not more than five years previously, and to a German national if he holds a valid national passport, a child's identity card or a personal identity card of the Federal Republic of Germany.

¹ Came into force on 1 July 1961, in accordance with article 19, paragraph 1.

² See p. 64 of this volume.

(2) Netherlands nationals resident in the Netherlands part of the frontier area who at the time of applying for a frontier-crossing document do not hold a national passport may be issued a frontier card corresponding to the model in annex 2.¹

(3) Residents of the frontier area who are neither Netherlands nor German nationals shall be issued a permit corresponding to the model in annex 1 if they hold a travel document which is valid for crossing the common frontier. Unless otherwise agreed by the competent authorities on both sides in a particular case, such permit may be issued only if the applicant has resided in the frontier area for six months.

(4) Children under the age of sixteen years may on request be included in the permit (paragraphs 1 and 3) or frontier card (paragraph 2) of their legal representative ; if they are issued a permit or frontier card of their own, the address of the legal representative must appear therein.

Article 4

(1) The validity of a permit (article 3, paragraphs 1 and 3) shall not exceed the period during which the travel document on the basis of which it was issued is valid for crossing the common frontier.

(2) The validity of a frontier card (article 3, paragraph 2) shall not exceed five years ; it may be extended for a further period of not more than five years.

Article 5

(1) Applications for the issue of a permit or frontier card must be submitted on forms in such number of copies as required.

(2) If the application is granted, the competent frontier control authority of the other Party shall forthwith be informed by being sent a copy of the application form. If the decision on the application is unfavourable, such unfavourable decision shall also be reported.

Article 6

If the competent authority of the one Party informs the competent authority of the other Party that it is unable to grant a person resident in the other part of the frontier area permission to cross the frontier outside official crossing points, the competent authority of the said other Party shall deny or revoke the permit. The same shall apply in the cases referred to in article 3, paragraph 2.

¹ See p. 68 of this volume.

Article 7

The competent authority of the other Party shall forthwith be informed of the revocation of a permit or frontier card.

Article 8

In the event of misuse, the frontier control officers of the one Party may provisionally impound a permit or frontier card issued by the other Party ; the said permit or card shall be forwarded without delay to the competent authority of the other Party with a statement of the reasons why it was impounded.

Article 9

At the points specified in the permits or frontier cards (article 3), the frontier may be crossed between 6 a.m. and 11 p.m. If the competent frontier control authorities on both sides have fixed other times, the same shall be noted on the permit or card by the issuing authority.

Article 10

The Parties shall, through the diplomatic channel, supply each other with particulars of the competent authorities referred to in article 3, paragraph 3, second sentence, and articles 6, 7 and 8.

Article 11

(1) The competent frontier control authorities referred to in article 5, paragraph 2, and article 9 are the following : in the Kingdom of the Netherlands, the competent authorities of the Royal Constabulary, and in the Federal Republic of Germany, the competent customs authorities.

(2) The officers responsible for frontier control for the purposes of articles 8 and 14 are as follows :

In the Kingdom of the Netherlands, the customs and excise officers of the Royal Constabulary ;

In the Federal Republic of Germany, the customs officers.

CHAPTER II

MINOR FRONTIER TRAFFIC AT OFFICIAL CROSSING POINTS

Article 12

Holders of frontier cards (article 3, paragraph 2) may cross the frontier at all official crossing points.

Article 13

(1) Persons resident in the frontier area who do not possess a valid document to cross the frontier may, for the purpose of crossing the frontier as a group and remaining in the other part of the frontier area for not more than two days, be issued a frontier pass corresponding to the model in annex 3¹ if the issuing authority certifies that the persons listed in the frontier pass are known to him.

(2) Not less than five and not more than fifty persons may be included in a frontier pass. The names must be given in alphabetical order. The group leader whose name should head the list, must hold one of the documents referred to in article 3, paragraph 1 or 2.

(3) The frontier may be crossed only at the official crossing points indicated, on the frontier pass.

Article 14

Police and frontier control officers whose duty station is in the frontier area may cross the frontier on official business with their official identification document at the official crossing points and remain in the other part of the frontier area.

CHAPTER III

GENERAL PROVISIONS

Article 15

This Agreement shall not affect the regulations of the two Parties concerning :

- (a) The import, export and transit of goods and vehicles, especially the customs- and exchange regulations ;
- (b) The residence and employment of aliens in the territory of either Party.

Article 16

Each Party reserves the right to refuse to allow any person whom it regards as undesirable to enter or remain in its territory.

Article 17

Each of the Parties shall at all times and without formalities allow to return to its territory persons who by virtue of the facilities accorded by this Agreement are staying in the territory of the other Party.

¹ See p. 70 of this volume.

Article 18

Either Party may on grounds of public policy or security provisionally suspend the operation of this Agreement. Such suspension shall be notified to the other Party forthwith through the diplomatic channel. Similar notice shall be given when the suspension is lifted.

CHAPTER IV

FINAL AND TRANSITIONAL PROVISIONS

Article 19

(1) The date on which this Agreement enters into force shall be determined through an exchange of notes.

(2) The Agreement may at any time be terminated by either Party by the giving of six months' notice before the end of a calendar year.

Article 20

(1) Upon the entry into force of this Agreement, the existing regulations concerning the issue of frontier passes shall cease to have effect.

(2) Frontier passes issued before the entry into force of this Agreement shall continue to be valid during the period for which they were issued ; no extension of such period may be granted.

DONE at Bonn on 3 June 1960 in duplicate in the Dutch and German languages, both texts being equally authentic.

For the Government of the Kingdom of the Netherlands :

(Signed) H. VAN VREDENBURCH

For the Government of the Federal Republic of Germany :

(Signed) VON BRENTANO

ANNEX 1

MINOR FRONTIER TRAFFIC
Netherlands-German frontier area

PERMIT

Valid only in connexion with

.....

No.

The holder of this permit is resident in the frontier area. In addition to all official crossing points, he is permitted, until further notice, to cross the frontier at the following point(s) :

.....

.....
.....
.....

Valid until
....., date

STAMP

Issuing authority

Children under the age of sixteen years whose legal representative is the holder of the permit :

Name	Given names	Date of birth
.....
.....
.....
.....

Name and address of the legal representative :

.....
.....
.....

Please note

1. The holder of this permit must carry it with him when crossing the frontier and while staying in the other part of the frontier area, and must produce it to the competent officials upon request.

2. Outside official crossing points the frontier may be crossed between 6 a.m. and 11 p.m., unless other times are specified in this permit.

3. This permit must be returned to the issuing authority if the holder moves from the frontier area, or if he ceases to have any reasonable grounds for crossing the frontier outside the official crossing points.

4. In the event of misuse the permit shall be withdrawn. In the event of misuse the permit may also be provisionally impounded by the frontier control officers of the neighbouring country.

ANNEX 2
 MINOR FRONTIER TRAFFIC
Across the Netherlands-German frontier
 FRONTIER CARD

No.

(This card remains the property of the Netherlands Government)

In addition to all official crossing points, the holder of this card may, until further notice cross the frontier at the following point(s) :

.....

Valid until
 (As regards extension, see page 3)

....., date

STAMP

Issuing authority

Name :

Given names :

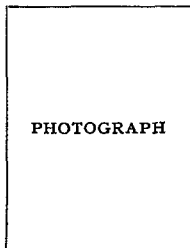
Date of birth :

Place of birth :

Occupation :

Nationality :

Place of residence :



STAMP

.....
 (Signature of holder)

In the case of children under sixteen years of age :

.....

(Signature and address of the legal representative)

SEAL

STAMP

Children under sixteen years of age (these may cross the frontier only when accompanied by the holder) :

Name	Given names	Date of birth
.....
.....
.....

Validity extended until :
 date

STAMP

Issuing authority

Please note

1. The holder of this frontier card must carry it with him when crossing the frontier and while staying in the German frontier area, and must produce it to the competent officials upon request.

2. Outside official crossing points the frontier may be crossed between 6 a.m. and 11 p.m., unless other times are specified on this card.

3. This card must be surrendered immediately to the issuing authority :

- (a) Upon expiration ;
- (b) If the holder moves from the frontier area or
- (c) If the holder ceases to have any reasonable grounds for crossing the frontier outside the official crossing points.

4. In the event of misuse this card shall immediately be withdrawn. In the event of misuse it may also be provisionally impounded by German frontier control officers.

A N N E X 3
 MINOR FRONTIER TRAFFIC
Netherlands-German frontier area

FRONTIER PASS

No.

For (in words :) persons⁽¹⁾ valid for one trip to the German [Netherlands] frontier area.

Valid until :

Frontier crossing point(s) :

⁽¹⁾ Including the group leader.

Purpose of trip :

Group leader :

(Name)

.....

(Given names)

Resident at :

Holder of :

No.

The persons listed in the frontier pass do not possess valid documents to cross the frontier ; they are known to the undersigned authority.

....., date

STAMP

Issuing authority

Alphabetical list of persons taking part in the trip

No.	Name	Given names	Date and place of birth	Place of residence*	Nationality
(Group leader)					
1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
.....
.....
.....

* This heading appears only on the German form.

Please note

1. The group leader must carry this frontier pass with him when crossing the frontier and while staying in the other part of the frontier area, and must produce it to the competent officials upon request.
 2. The frontier may be crossed only at the crossing point(s) stated on the pass and only during the times when such point(s) is (are) open for traffic.
 3. The persons taking part in the trip must cross the frontier in both directions as a group and must remain together while in the other frontier area. The group leader must ensure that this requirement is complied with.
 4. The time spent in the other frontier area may not exceed two days.
-