

No. 9226

**NETHERLANDS
and
FEDERAL REPUBLIC OF GERMANY**

**Treaty concerning the regulation of railway frontier crossings
(with annexes). Signed at The Hague, on 22 September
1966**

Official texts : Dutch and German.

Registered by the Netherlands on 6 September 1968.

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

**Traité portant réglementation des franchissements de fron-
tière par voie ferrée (avec annexes). Signé à La Haye,
le 22 septembre 1966**

Textes officiels néerlandais et allemand.

Enregistré par les Pays-Bas le 6 septembre 1968.

[TRANSLATION — TRADUCTION]

No. 9226. TREATY¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE FEDERAL REPUBLIC OF GERMANY CONCERNING THE REGULATION OF RAILWAY FRONTIER CROSSINGS. SIGNED AT THE HAGUE, ON 22 SEPTEMBER 1966

The Kingdom of the Netherlands and the Federal Republic of Germany,
Desiring to adapt to present conditions the existing agreements between the two States relating to sections of railway line which cross the frontier,

Having regard to articles 83 and 84 of the Frontier Treaty of 8 April 1960² between the Kingdom of the Netherlands and the Federal Republic of Germany,

Have agreed as follows :

Article 1

1. The Contracting Parties shall keep in being the railway frontier crossings existing on the date of entry into force of this Treaty, subject to the provisions of article 2. The said crossings are enumerated in annex 1 to this Treaty.

2. The Contracting Parties shall, in accordance with their legislative provisions, endeavour to ensure that the railway administrations in the two States :

- (a) Maintain and renovate, and if necessary alter and expand, the installations of the railway frontier crossings in a manner which conforms to the requirements of railway traffic across the frontier;
- (b) Use the railway frontier crossings according to their nature and scope, so that they meet the requirements of railway traffic across the frontier in an economical manner.

3. Each of the Contracting Parties shall be bound, at the request of the other Party, to enter into discussions with it concerning the application of this article.

Article 2

1. No new railway frontier crossings shall be established and no existing railway frontier crossings shall be closed or transferred until the Ministers of the

¹ Came into force on 12 July 1968, one month after the exchange of the instruments of ratification, which took place in Bonn on 12 June 1968, in accordance with article 6 (2).

² United Nations, *Treaty Series*, Vol. 508, p. 14.

Contracting Parties who are responsible for railway traffic have notified each other by letter of their consent thereto. The same shall apply to the discontinuance of all passenger traffic or all goods traffic through any one of the aforementioned railway frontier crossings.

2. In the event of the establishment of new railway frontier crossings or the closure or transfer of existing railway frontier crossings, the exchange of letters referred to in paragraph 1 of this article shall constitute an administrative agreement to amend annex 1 to this Treaty.

3. Before any changes are made which may substantially reduce the capacity of a railway frontier crossing, the Ministers of the Contracting Parties who are responsible for railway traffic shall enter into discussions on the subject if either of the Contracting Parties so desires.

Article 3

This Treaty shall not affect the Agreement¹ between the Contracting Parties concerning the merging of frontier control operations and the establishment of joint and transfer railway stations at the Netherlands-German frontier, dated 30 May 1958, or the agreements concluded for the application of the said Agreement.

Article 4

The Contracting Parties agree that the agreements enumerated in annex 2 to this Treaty shall cease to have effect not later than the date of entry into force of this Treaty.

Article 5

This Treaty shall also apply to the *Land* of Berlin unless the Government of the Federal Republic of Germany delivers a declaration to the contrary to the Government of the Kingdom of the Netherlands within three months after the entry into force of this Treaty.

Article 6

1. This Treaty is subject to ratification. The instruments of ratification shall be exchanged at Bonn.

2. This Treaty shall enter into force one month after the exchange of the instruments of ratification.

3. This Treaty shall cease to have effect eighteen months after it is denounced in writing by either Contracting Party. In the event of denunciation,

¹ United Nations, *Treaty Series*, Vol. 570, p. 127; Vol. 578, p. 282, and Vol. 592, p. 282.

the Contracting Parties shall enter into negotiations without delay concerning a new arrangement.

IN WITNESS WHEREOF the undersigned plenipotentiaries, having exchanged their full powers, found in good and due form, have affixed their signatures to this Treaty.

DONE at The Hague on 22 September 1966, in duplicate in the Dutch and German languages, both texts being equally authentic.

For the Kingdom of the Netherlands :

L. DE BLOCK

For the Federal Republic of Germany :

K. H. KNOKE

ANNEX 1

EXISTING RAILWAY FRONTIER CROSSINGS

- | | |
|--------------------------|-----------------------------|
| (1) Nieuwe Schans-Weener | (7) Zvenaar-Emmerich |
| (2) Coevorden-Laarwald | (8) Nijmegen-Kranenburg |
| (3) Oldenzaal-Bentheim | (9) Venlo-Kaldenkirchen |
| (4) Enschede-Gronau | (10) Vlodrop-Dalheim |
| (5) Broekheurne-Alstätte | (11) Haanrade-Herzogenrath |
| (6) Winterswijk-Borken | (12) Simpelveld-Aachen West |

ANNEX 2

SUMMARY OF NETHERLANDS-GERMAN AGREEMENTS RELATING TO SECTIONS OF RAILWAY LINE WHICH CROSS THE FRONTIER

I

EXISTING FRONTIER CROSSINGS

1. *Nieuwe Schans-Weener frontier crossing*

(a) Agreement of 3 June 1874 between the Netherlands and Germany to regulate the construction of a railway from Nieuwe Schans to Ihrhove (*Staatsblad* 1874, No. 126; RGBl. 1875, p. 101).

(b) Agreement of 27 June 1874 between the Netherlands and Oldenburg to regulate the construction and operation of the railway from Nieuwe Schans to Ihrhove (*Staatsblad* 1874, No. 131).

2. *Coevorden-Laarwald frontier crossing*

Treaty of 23 July 1908 between the Netherlands and Germany concerning the construction of a railway from Coevorden to Neuenhaus (*Staatsblad* 1909, No. 57; RGBl. 1908, p. 635).

3. *Oldenzaal-Bentheim frontier crossing*

Agreement of 29 December 1863 between the Netherlands and Hanover concerning the connexion of the railway between Almelo and Salzbergen (*Staatsblad* 1864, No. 10).

4. *Enschede-Gronau frontier crossing*

(a) Agreement of 12 May 1864 between the Netherlands and Prussia concerning the connexion of the railway between Enschede, Rheine and Münster (*Staatsblad* 1864, No. 82; RGBl. 1875, p. 126).

(b) Agreement of 13 November 1874 between the Netherlands and Germany to regulate the construction of a railway from Enschede to Dortmund (*Staatsblad* 1875, No. 22; RGBl. 1875, p. 123).

5. *Enschede-Zuid-Broekheurne-Alstätte frontier crossing*

Treaty of 27 June 1899 between the Netherlands and Germany concerning the construction of a local railway from Enschede to Ahaus (*Staatsblad* 1899, No. 238; RGBl. 1900, p. 557).

6. *Winterswijk-Borken frontier crossing*

Agreement of 31 July 1875 between the Netherlands and Germany concerning the railway from Zutphen *via* Winterswijk and Borken to the vicinity of Gelsenkirchen, with a branch line to Bocholt (*Staatsblad* 1875, No. 175; RGBl. 1877, p. 307).

7. *Zevenaar-Emmerich frontier crossing*

Agreement of 18 July 1851 between the Netherlands and Prussia for the connexion of the existing railways in the two States, with Protocol of 10/18 February 1846 (*Staatsblad* 1852, No. 54).

8. *Nijmegen-Kranenburg frontier crossing*

Agreement of 14 March 1864 between the Netherlands and Prussia concerning the connexion of the railway between Nijmegen and Kleve (*Staatsblad* 1864, No. 42; PrGesSlg 1864, p. 395).

9. *Venlo-Kaldenkirchen frontier crossing*

Agreement of 14 March 1864 between the Netherlands and Prussia concerning the connexion of the railway from Venlo to Viersen and Kempen (*Staatsblad* 1864, No. 43; PrGesSlg 1864, p. 385).

10. *Vlodrop-Dalheim frontier crossing*

Agreement of 13 November 1874 between the Netherlands and Germany to regulate the connexion of a railway from Antwerp to Gladbach (*Staatsblad* 1875, No. 18; RGBl. 1875, p. 112).

11. *Haanrade-Herzogenrath frontier crossing*

Agreement of 28 November 1892 between the Netherlands and Germany to regulate the connexion of the local railway between Sittard and Herzogenrath at the Netherlands-Prussian frontier (*Staatsblad* 1893, No. 53; RGBl. 1892, p. 163).

12. *Simpelveld–Aachen–West frontier crossing*

Netherlands-Prussian Protocol of 14 October 1846 to determine the frontier crossing point for the railway from Aachen to Maastricht.

II

FRONTIER CROSSINGS NO LONGER IN EXISTENCE

1. *Gennep–Hassum frontier crossing*

(a) Agreement of 18 August 1871 between the Netherlands and the German Realm concerning the connexion of the railway from Boxtel *via* Gennep to Kleve and Wesel (*Staatsblad* 1871, No. 102; RGBl. 1872, p. 39).

(b) Agreement of 13 November 1874 between the Netherlands and Germany to amend the Agreement of 18 August 1871 concerning the construction of a railway from Boxtel *via* Gennep to Kleve and *via* Goch to Wesel (*Staatsblad* 1875, No. 23; RGBl. 1875, p. 120).

2. *Venlo–Straelen frontier crossing*

Agreement of 28 November 1867 between the Netherlands and Prussia concerning the connexion of the railway from Venlo to Osnabrück (*Staatsblad* 1868, No. 17; PrGeSlg 1868, p. 13).
