

**No. 13383**

---

**BELGIUM  
and  
FEDERAL REPUBLIC OF GERMANY**

**Arrangement concerning the Raeren–Kalterherberg railway line. Signed at Brussels on 10 December 1973**

*Authentic texts: French and German.*

*Registered by Belgium on 3 June 1974.*

---

**BELGIQUE  
et  
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Arrangement concernant la ligne de chemin de fer Raeren–Kalterherberg. Signé à Bruxelles le 10 décembre 1973**

*Textes authentiques : français et allemand.*

*Enregistré par la Belgique le 3 juin 1974.*

## [TRANSLATION — TRADUCTION]

ARRANGEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE KINGDOM OF BELGIUM AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING THE RAEREN – KALTERHERBERG RAILWAY LINE

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

Desiring, pursuant to article 9 of the Treaty between the Kingdom of Belgium and the Federal Republic of Germany regarding rectification of the Belgian-German frontier and the settlement of various problems concerning the two countries, signed at Brussels on 24 September 1956,<sup>2</sup> to adapt to the present conditions the provisions relating to the Raeren – Kalterherberg railway line contained in the Agreements of 6 November 1922, 7 November 1929<sup>3</sup> and 10 May 1935<sup>4</sup> and in their annexes, arrangements and protocols,

Have agreed as follows:

## Chapter I. GENERAL PROVISIONS

*Article 1.* (1) On the railway line from Raeren to Kalterherberg, the German language shall be used in communications between the Belgian administrations and the public of German nationality.

(2) Employees of the Belgian administrations must understand German and must make all announcements and give all information, indications and replies to the public of German nationality in the German language.

(3) The Roetgen, Lammersdorf, Konzen, Monschau and Kalterherberg stations shall retain their German names. At those stations, all notices, announcements and signs shall be written in German and French.

(4) Forwarding agents shall be entitled to write their waybills and other forwarding documents in German or French.

*Article 2.* (1) Payment to the Belgian railway administration of tickets, freights, charges, rents and the like may in all cases be made in German currency.

(2) Where such payment relates to tariffs, reimbursements, cash advances or other costs which are not expressed in German currency, conversion into that currency shall be effected at the rate of exchange established by the Belgian railway administration.

<sup>1</sup> Came into force on 1 February 1974, i.e., the first day of the second month following the month of its signature, in accordance with article 25.

<sup>2</sup> United Nations, *Treaty Series*, vol. 314, p. 195.

<sup>3</sup> League of Nations, *Treaty Series*, vol. CXXI, p. 327.

<sup>4</sup> *Ibid.*, vol. CLXXXII, p. 335.

*Article 3.* Employees of the railway administrations shall be authorized to perform in the territory of the adjacent State such official duties in connexion with the operation of the line as are provided for in this Arrangement.

*Article 4.* The railway installations shall be kept in adequate working order to meet traffic requirements. In particular, ditches and culverts shall be kept in regulation order so that all damage to neighbouring buildings and lands may be avoided.

*Article 5.* Without prejudice to any other provisions in existence between the Contracting Parties, the German population shall be entitled to address complaints to the Chairman of the Regional Board of the German Federal Railways in Cologne on the ground of failure by the Belgian railway administration to comply with the obligations arising out of this Arrangement. The Chairman shall endeavour to settle the disputes in consultation with the Belgian railway administration.

## Chapter II. PROVISIONS REGARDING OPERATION

*Article 6.* (1) Passenger traffic between the five stations on the line and the Federal Republic of Germany, either via Raeren – Walheim or via Kalterherberg – Losheim, shall be restricted to the running of special trains. If a real need for operation of a scheduled passenger train service arises later, the Contracting Parties shall agree on the basis for operation of such a service.

(2) Goods traffic shall be carried exclusively as follows:

- (a) Between the five stations on the line;
- (b) Between the five stations and the Federal Republic of Germany and countries beyond, either via Raeren – Walheim or via Kalterherberg – Losheim;
- (c) Between the five stations and stations on the Kalterherberg – Losheim line;
- (d) Between the five stations and Belgium and countries beyond;
- (e) Between German stations in the Aachen frontier area, bounded on the east by the Herzogenrath – Stolberg – Walheim line, and stations on the Losheim – Jünkerath – Gerolstein line and on the lines from Gerolstein to the west.

*Article 7.* (1) Problems relating to time-tables, the hauling of trains and the rendering of reciprocal railway services shall be regulated by special arrangements between the railway administrations of the Contracting Parties.

(2) The railway administrations shall secure the participation of the administrations (authorities) of both Parties responsible for frontier control in the process of establishing time-tables.

(3) The railway administrations shall notify the local authorities responsible for frontier control in good time of the running of special passenger trains.

*Article 8.* The Belgian railway administration shall accord to German customs officers, all such facilities as are necessary for the performance of their duties.

In particular, it shall allow them to travel free of cost on trains on the Raeren – Kalterherberg line when proceeding from their place of residence to their place of duty and when travelling in performance of their duties on that line.

### Chapter III. PROVISIONS REGARDING CARRIAGE REGULATIONS AND TARIFFS

*Article 9.* (1) Without prejudice to the provisions of article 1, paragraph 4, in the case of passenger and goods traffic between the five stations, and between those stations and the Federal Republic of Germany via Raeren – Walheim, the provisions of the *Deutsche Eisenbahn-Verkehrsordnung*, including in particular those relating to forms of waybills and other forwarding documents, shall apply.

(2) In the case of other passenger and goods traffic of the five stations, the provisions of the *Deutsche Eisenbahn-Verkehrsordnung* may be applied by the Belgium railway administration in so far as they relate to:

- the hours of opening of the stations;
- formalities for acceptance and delivery of consignments;
- the supply of waggons;
- notification of the arrival of goods;
- time-limits for loading and unloading.

*Article 10.* (1) The German tariffs shall apply to passengers carried on special trains via Raeren – Walheim.

(2) In the case of the special trains via Kalterherberg – Losheim, the Belgian tariffs shall apply on the Kalterherberg – Losheim section and the German tariffs on the other sections. The German – Belgian tariffs shall apply to any traffic carried over the entire route.

(3) The Belgian tariffs shall apply to passengers carried on special trains from and to Belgium.

*Article 11.* The German tariffs shall apply to goods traffic between the five stations, and between those stations and the Federal Republic of Germany via Raeren – Walheim.

*Article 12.* In the case of goods traffic between the five stations and the Federal Republic of Germany via Kalterherberg – Losheim, the Belgian tariffs shall apply on the Kalterherberg – Losheim section and the German tariffs on the other sections. The through-rate tariffs applicable to German-Belgian goods traffic shall apply to any traffic carried over the entire route.

*Article 13.* The Belgian tariffs shall apply to goods traffic between the five stations and stations on the Kalterherberg – Losheim section, and between the five stations and Belgium.

*Article 14.* In the case of goods traffic between German stations in the Aachen frontier area, bounded on the east by the Herzogenrath – Stolberg – Walheim line, and stations on the Losheim – Jünkerath – Gerolstein line and on the lines from Gerolstein to the west, the Belgian tariffs shall apply on the Kalterherberg – Losheim section and the German tariffs on the other sections.

The through-rate tariffs applicable to German-Belgian goods traffic shall apply to any traffic carried over the entire route.

*Article 15.* The settlement of amounts due out of the receipts in respect of passenger and goods traffic resulting from the application of the German tariffs shall be regulated by special arrangements between the railway administrations of the Contracting Parties.

#### Chapter IV. PROVISIONS REGARDING DISPATCH

*Article 16.* Questions relating to the dispatch and routing of passenger and goods traffic shall be the subject of special arrangements between the railway administrations of the Contracting Parties.

#### Chapter V. PROVISIONS REGARDING SPECIAL INSTALLATIONS

*Article 17.* The Government of the Kingdom of Belgium undertakes to permit the installation across the line of overhead or underground conductors recognized to be of public utility and required by German public authorities or German public undertakings, in particular of telegraph, telephone or electric wires, water-pipes, culverts, etc., and to permit also the raising, lowering or widening of roads, and the construction of bridges across the railway line. In special circumstances and when rendered necessary by ground conditions, a level crossing shall be permitted. These installations shall be the subject of special concessions, the terms of which shall be drawn up with regard to present or future exigencies of the operation of the railway line and the safety of railway traffic. A special concession shall be granted to ensure and regulate the maintenance of each existing installation. Public authorities or public undertakings to which concessions have been granted shall be liable for any prejudice or damage ensuing to the railway line.

*Article 18.* (1) New ditches and culverts desired by private persons which are necessary for continued cultivation shall not be constructed on railway land without an authorization from the Belgian authority in each case; the expenses of construction and upkeep shall be borne by the grantees. Such authorization shall specify the conditions to be observed as regards the operation of the line and the safety of trains.

(2) The authorization is revocable and shall be granted against payment of a rent for use of State property. Applications for authorizations shall be favourably considered.

*Article 19.* (1) The following provisions shall apply to existing installations at level crossings:

1. In the case of railway installations, the Belgian railway administration shall be responsible for operation, upkeep and renovation; in the case of road installations, the competent German authority shall be responsible for operation, upkeep and renovation.

2. For the purposes of subparagraph 1:

(a) Railway installations shall comprise the area of the level crossing used by both railway traffic and road traffic, extending to a distance of 2.25 metres

from the outer rail on each side, and the barriers, flashing lights, warning signals in the form of a St. Andrew's cross and other railway installations and signals for the protection of crossing traffic;

(b) Road installations shall comprise the warning signals and beacons, areas cleared of visual obstructions and other road installations and signals for the protection of crossing traffic.

(2) Any changes in the present situation shall be decided upon by agreement between the competent Belgian and German authorities.

*Article 20.* Should the Belgian railway administration consider it advantageous to connect the stations with the Kreis electric supply, it may make special contracts with the parties concerned; however, it reserves the right, if need be, to procure electric current for the needs of the railway from other sources.

*Article 21.* The Government of the Federal Republic of Germany undertakes to ensure the protection of the water-conduit leading from the Weser barrage to the Roetgen railway station in so far as the conduit is situated in its territory, and to permit employees of the Belgian railway administration to do the work necessary for repair and upkeep.

#### Chapter VI. FRONTIER CONTROL

*Article 22.* (1) German customs officers may, not only in the Raeren and Kalterherberg stations but also in the Roetgen, Lammersdorf, Konzen and Monschau stations, take all measures to ensure the identification of goods carried on the Raeren – Kalterherberg railway line.

(2) German customs officers may make an annotation of the operations referred to in paragraph (1) on the documents of carriage (or on the train's manifest).

(3) Seals or identification marks affixed by German customs officers shall not be removed by unauthorized persons.

*Article 23.* The Belgian and German customs administrations shall by mutual agreement make provisions for the prevention of smuggling by persons resident in the territory of the Raeren – Kalterherberg railway line. The Belgian railway administration shall assist so far as possible in the enforcement of those provisions.

#### Chapter VII. FINAL PROVISIONS

*Article 24.* This Arrangement shall also apply to *Land* Berlin, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the Kingdom of Belgium within three months from the date of entry into force of this Arrangement.

*Article 25.* This Arrangement shall enter into force on the first day of the second month following the month in which it is signed.

DONE at Brussels on 10 December 1973, in duplicate, in the French and German languages, both texts being equally authentic.

For the Government  
of the Kingdom of Belgium:

*[Signed]*

R. VAN ELSLANDE

For the Government  
of the Federal Republic  
of Germany:

*[Signed]*

P. LIMBOURG