

No. 14410

**HUNGARY
and
AUSTRIA**

Agreement concerning the use by Austrian nationals of the section of the Mörbisch – Siegendorf country road in the Fertörákos area (with annex). Signed at Budapest on 29 March 1973

Authentic texts: Hungarian and German.

Registered by Hungary on 10 November 1975.

**HONGRIE
et
AUTRICHE**

Accord concernant l'utilisation par les ressortissants autrichiens du tronçon de la route de campagne Mörbisch – Siegendorf, dans la région de Fertörákos (avec annexe). Signé à Budapest le 29 mars 1973

Textes authentiques : hongrois et allemand.

Enregistré par la Hongrie le 10 novembre 1975.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC AND THE AUSTRIAN FEDERAL GOVERNMENT CONCERNING THE USE BY AUSTRIAN NATIONALS OF THE SECTION OF THE MÖRBISCH - SIEGENDORF COUNTRY ROAD IN THE FERTÖRÁKOS AREA

The Government of the Hungarian People's Republic and the Austrian Federal Government (herein referred to as "the Contracting Parties"), desiring to ensure the use by Austrian nationals of the section of the Mörbisch - Siegendorf country road in the Fertörákos area,

Have agreed as follows:

Article 1. The country road between the communes of Mörbisch and Siegendorf traverses the territory of the Hungarian People's Republic between frontier stones B 4 and B 5/9 in four sectors for a total distance of 1 300 metres within the commune of Fertörákos. The section of road traversing the territory of the Hungarian People's Republic is hereinafter referred to as "the road".

Article 2. (1) The Hungarian Contracting Party shall allow Austrian nationals who are in possession of a permit issued in accordance with the provisions of this Agreement to use the road between sunrise and sunset.

(2) Children up to the age of 14 years shall not require a permit for use of the road if they are accompanied by the holder of a permit.

Article 3. (1) Use of the road in accordance with article 2 shall include walking and driving, the carrying of articles for personal use and consumption and the conveyance of such things as are necessary for work on agricultural and forestry properties and of the products derived from the agricultural and forestry properties.

(2) Users shall proceed along the road without unnecessary delay. Leaving the road is prohibited.

(3) Use of the road for military purposes is prohibited.

Article 4. Permit-holders may, when using the road, carry or convey the articles and goods in their possession through the territory of the Hungarian People's Republic free of customs duties and other taxes and free of import, export and transit prohibitions and restrictions.

Article 5. (1) The permit for use of the road shall be issued by the office of the Eisenstadt District Commissioner in conformity with the model annexed hereto in the Hungarian and German languages, for a period of validity of one year. Upon application, the office of the District Commissioner shall renew the permit for successive periods of validity of one year.

¹ Came into force on 14 August 1973, i.e., on the sixtieth day after the Contracting Parties had notified each other in writing, through the diplomatic channel (on 16 June 1973), that it had been approved in their respective countries, in accordance with article 12 (1).

(2) Permits for use of the road shall be issued only to Austrian nationals domiciled or normally resident in the commune of Mörbisch for the purpose of work on agricultural and forestry properties situated within the commune of Siegendorf and to Austrian nationals who are to carry out maintenance work on the road.

(3) A permit for use of the road shall not be issued or renewed if the applicant does not meet the conditions for the issue of an Austrian passport.

Article 6. The personal particulars of Austrian nationals to whom permits for use of the road have been issued or whose permits have been renewed shall, within 14 days of the date of issue or renewal, be communicated in writing by the Police Headquarters for the Province of Burgenland to the Sopron Frontier Sector Command.

Article 7. (1) A permit for use of the road shall be withdrawn by the office of the Eisenstadt District Commissioner at the request of the Sopron Frontier Sector Command or if, with respect to the permit holder, the existence of conditions for the withdrawal of an Austrian passport becomes known.

(2) The withdrawal of a permit for use of the road may be requested without any statement of the reasons. Requests for withdrawal shall be addressed in writing by the Sopron Frontier Sector Command to the Police Headquarters for the Province of Burgenland.

Article 8. Members of the Austrian customs service and federal police may proceed along the road with their service equipment in official vehicles, without a permit for use of the road, between sunrise and sunset but shall not perform any official acts in Hungarian territory.

Article 9. (1) The Hungarian Contracting Party shall be under no liability for the maintenance of the road.

(2) The provisions of article 4 shall apply *mutatis mutandis* to the entry of such vehicles, tools and materials as are necessary for the maintenance of the road. The vehicles and tools may remain on the road so long as maintenance work is in progress.

Article 10. (1) Questions of minor importance arising out of the application of this Agreement shall be the subject of discussions between the Sopron Frontier Sector Command and the Police Headquarters for the Province of Burgenland.

(2) Matters arising out of the application of this Agreement which might lead to incidents on the common State frontier may be taken up by the Hungarian-Austrian Commission established under the Treaty between the Hungarian People's Republic and the Republic of Austria of 31 October 1964¹ concerning the procedure for the investigation of incidents occurring on the common State frontier.

Article 11. The Hungarian Contracting Party may temporarily suspend the implementation of this Agreement. The Austrian Contracting Party shall be given due notice in writing through the diplomatic channel.

Article 12. (1) This Agreement shall enter into force 60 days after the date on which the Contracting Parties notify each other in writing through the diplomatic channel that it has been approved in their respective countries.

¹ United Nations, *Treaty Series*, vol. 545, p. 223.

(2) This Agreement is concluded for a period of one year and shall thereafter remain in force for successive periods of one year unless it is denounced by one of the Contracting Parties in writing through the diplomatic channel three months before the expiry of the year.

IN WITNESS WHEREOF the plenipotentiaries have signed this Agreement.

DONE at Budapest on 29 March 1973 in two original copies, in the Hungarian and German languages, both texts being equally authentic.

For the Government
of the Hungarian People's Republic:
[JÁNOS NAGY]

For the Austrian
Federal Government:
[Dr. FRIEDRICH FRÖLICHSTAL]

A N N E X

PERMIT

FOR THE USE OF THE SECTION OF THE MÖRBISCH-SIEGENDORF COUNTRY ROAD IN THE FERTŐRÁKOS AREA

Mr./Mrs./Miss, born on an Austrian national, residing at
., is hereby authorized, in accordance with the provisions of the Agreement between the Austrian Federal Government and the Government of the Hungarian People's Republic of
. 1973 concerning the use by Austrian nationals of the section of the Mörbisch-Siegenderf country road in the Fertőrákos area, to use the section of the said road in Hungarian territory between sunrise and sunset.

This permit is valid until

PHOTOGRAPH

Office of the Eisenstadt District Commissioner
(Date)

The period of validity of this permit is extended until
Office of the Eisenstadt District Commission
(Date)

The period of validity of this permit is extended until
Office of the Eisenstadt District Commission
(Date)