

No. 23433

FRANCE
and
FEDERAL REPUBLIC OF GERMANY

**Agreement concerning the phasing out of inspections at the
Franco-German frontier. Signed at Sarrebruck on 13 July
1984**

Authentic texts: French and German.

Registered by France on 26 June 1985.

FRANCE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

**Accord relatif à la suppression graduelle des contrôles à
la frontière franco-allemande. Signé à Sarrebruck
le 13 juillet 1984**

Textes authentiques : français et allemand.

Enregistré par la France le 26 juin 1985.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING THE PHASING OUT OF INSPECTIONS AT THE FRANCO-GERMAN FRONTIER

The Government of the French Republic and the Government of the Federal Republic of Germany, hereinafter termed the Parties,

Aware that the increasingly close union among the peoples of the States members of the European Communities must be given effect through the free crossing of domestic frontiers by all nationals of these States,

Desirous of strengthening the solidarity between the two peoples by removing obstacles to freedom of movement at the frontier of the two countries,

Recalling the efforts made to this effect by the two Parties, in particular since the Agreement of 18 April 1958²,

Considering also the progress made within the European Communities towards ensuring the free movement of persons and goods,

Prompted by the desire eventually to abolish inspections at the frontiers of the French Republic and the Federal Republic of Germany in respect of the movement of nationals of the States members of the European Communities and to facilitate the movement of goods therein,

Considering that, at the initial stage, inspections should be confined to spot checks or questionable cases, and that such action may be brought into general use following the harmonization of the laws and regulations on which the inspections are based,

Have agreed as follows:

PART I. MEASURES IMMEDIATELY APPLICABLE

Article 1. The formalities relating to the movement of persons at the frontier between the French Republic and the Federal Republic of Germany shall be abolished for nationals of the States members of the European Communities under the conditions laid down by this Agreement.

Article 2. Police and customs authorities shall, as a general rule, simply monitor vehicles crossing the frontier at reduced speed, without requiring them to stop.

They may, however, conduct more thorough inspections by means of spot checks. These shall be carried out, if possible, in special parking areas so as not to obstruct the flow of cross-frontier traffic.

Article 3. With a view to facilitating the monitoring operation, nationals of States members of the European Communities approaching the Franco-German frontier in a motor vehicle may, as from 1 August 1984, place a green disk measuring at least 8 centimetres in diameter on the windshield. The disk shall indicate that they have complied with frontier

¹ Came into force on 13 July 1984 by signature, in accordance with article 18.

² United Nations, *Treaty Series*, vol. 746, p. 288.

police regulations, are transporting only such goods as are authorized within the duty-free allowance and have observed French currency exchange regulations.

Article 4. The aim is to establish combined inspections on as wide a scale as possible so as to limit inspections to one place.

As of July, combined inspections will be introduced at the frontier posts of
Sarrebruck-Forbach
Ottmarsheim-Neuenberg and
Beinheim-Iffezheim

The regional authorities shall consider whether it is possible to introduce combined inspections at other frontier posts, taking into account local conditions.

Article 5. Special deterrent operations shall be carried out without delay by both Parties and repeated frequently in order to control drugs, crime and the illegal entry of persons.

Article 6. The two Parties shall meet at the earliest date with a view to implementing the provisions of this part of the Agreement.

PART II. SECOND PHASE

Article 7. The two Parties shall make preparations prior to the forthcoming Franco-German summit consultations in October 1984 for the introduction of the measures provided for in articles 8 to 14 hereinafter.

Article 8. The two Parties shall seek ways and means of transferring the inspections carried out at the Franco-German frontier to the external frontiers of both States.

Article 9. The two Parties shall prepare to harmonize the regulations for the issuing of visas required by each Party from nationals of third States.

Article 10. The two Parties shall strengthen co-operation between their customs and police administrations, in particular with respect to the illegal entry of persons and smuggling of goods, and shall step up mutual assistance against illegal flows of capital.

Article 11. The two Parties shall act jointly within the European Communities with a view to securing:

(a) A higher duty-free allowance for travellers.

(b) Uniform payment in the country of departure of the turnover tax with respect to tourist travel services within the European Economic Community.

In addition, the two Parties shall endeavour, both bilaterally and within the framework of the European Communities, to harmonize rates of taxation on diesel fuel.

(c) Within the context of the Community duty-free allowances, the abolition of any remaining restriction on the entry into member States of goods, possession of which is not prohibited to nationals of these States.

Article 12. The two Parties shall implement in a co-ordinated manner Council Directive No. 83/643/EEC of 1 December 1983 on the facilitation of physical inspections and administrative formalities in respect of the carriage of goods between member States, with effect from 1 January 1985.

Article 13. The two Parties shall co-operate further with a view to establishing systematic exchange of the data necessary for the customs clearance of goods and introducing a single document for processing such data.

Article 14. The two Parties shall seek ways and means of abolishing customs inspections of goods at the Franco-German frontier.

PART III. MEASURES TO BE TAKEN BEFORE 31 DECEMBER 1986

Article 15. The method of inspection described in article 4 above may be brought into general use, taking into account the results achieved.

With a view to preparing the way for the abolition of all inspections for nationals of countries that are members of the European Communities in respect of the movement of persons, the two Parties shall harmonize the relevant laws and regulations, including the law governing the situation of aliens, narcotic drugs and the transport of weapons. The two Parties shall bring their laws concerning the issuing of passports more closely into line.

Article 16. The two Parties shall take the necessary steps to further the efforts already undertaken with a view to harmonizing VAT rates and excise duties within the European Communities.

Article 17. This Agreement shall be extended to *Land Berlin*, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the French Republic within three months of the date of its entry into force.

Article 18. This Agreement shall enter into force on the date of signature.

DONE at Sarrebruck on 13 July 1984, in duplicate in the French and German languages, both texts being equally authentic.

For the Government
of the French Republic:

[ROLAND DUMAS]

For the Government
of the Federal Republic of Germany:

[WALDEMAR SCHRECKENBERGER]
