

No. 23740

**AUSTRIA
and
FEDERAL REPUBLIC OF GERMANY**

**Agreement concerning the travel of law-enforcement
officials in transit by road and by rail. Signed at Bonn
on 14 September 1955**

Authentic text: German.

Registered by Austria on 13 February 1986.

**AUTRICHE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord relatif au transport ferroviaire et routier en transit
des agents de la force publique. Signé à Bonn le 14 sep-
tembre 1955**

Texte authentique : allemand.

Enregistré par l'Autriche le 13 février 1986.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE REPUBLIC OF AUSTRIA AND THE FEDERAL REPUBLIC OF GERMANY CONCERNING THE TRAVEL OF LAW ENFORCEMENT OFFICIALS IN TRANSIT BY ROAD AND BY RAIL

The Federal President of the Republic of Austria and the President of the Republic of Germany,

In order to supplement the provisions of article 4, paragraph 2, of the Agreement between the Republic of Austria and the Federal Republic of Germany of 14 September 1955 concerning Simplified Procedures for Transit Traffic by Road between Salzburg and Lofer through German Territory and between Garmisch-Partenkirchen and Pfronten/Füssen through Austrian Territory² and article 2, paragraph 2, of the Agreement between the Republic of Austria and the Federal Republic of Germany of 14 September 1955 concerning Simplified Procedures for Transit Traffic by Rail on the Mittenwald (frontier)–Griesen (frontier) and Ehrwald (frontier)–Vils (frontier) sections,³ have decided to conclude an Agreement.

For that purpose they have appointed as their Plenipotentiaries:

The Federal President of the Republic of Austria:

Mr. Adrian Rotter, Ambassador Extraordinary and Plenipotentiary,

The President of the Federal Republic of Germany:

Dr. Hans Berger, Under-Secretary and Chief of the Legal Department in the Ministry of Foreign Affairs, and

Mr. Walter Bargatzky, Assistant Secretary and Chief of the Public Security Department in the Federal Ministry of the Interior,

who, having exchanged their full powers, found in good and due form, have agreed as follows:

Article 1. The Agreements concerning simplified procedures for transit traffic by road and by rail shall apply to transit travel of Austrian law enforcement officials (federal police, federal *gendarmérie* and customs administration) and of German law enforcement officials (police and customs), subject to the provisions set forth below.

Article 2. (1) Law enforcement officials travelling in transit by the transit roads while on duty, and their vehicles, including goods carried therein, shall not be subject to the control procedures otherwise provided for.

(2) They may carry with them the arms and ammunition that form part of their equipment. While in transit, they shall not engage in any official activity.

¹ Came into force on 31 October 1957, i.e., simultaneously with the Agreement concerning Simplified Procedures for Transit Traffic by Road between Salzburg and Lofer through German Territory and between Garmisch-Partenkirchen and Pfronten/Füssen through Austrian Territory and with the Agreement concerning Simplified Procedures for Transit Traffic by Rail on the Mittenwald (frontier)–Griesen (frontier) and Ehrwald (frontier)–Vils (frontier) Sections, in accordance with article 7.

² See p. 257 of this volume.

³ See p. 277 of this volume.

(3) Before more than 12 law enforcement officials travelling in a body embark upon a transit journey, the Freilassing border police station shall be notified by the Austrian side and the district commissioner's office at Reutte by the German side.

(4) Austrian law enforcement officials may travel in transit only by the roads specified in article 1, paragraph 1 (a)(1), of the Agreement concerning Simplified Procedures for Transit Traffic by Road.

Article 3. (1) The provisions of article 2, paragraphs 1 and 2, shall apply analogously to law enforcement officers travelling in transit by rail.

(2) Before more than 35 law enforcement officials travelling in a body embark upon a transit journey by rail, the Garmisch-Partenkirchen frontier police station shall be notified by the Austrian side and the district commissioner's office at Reutte by the German side.

Article 4. Transit travel of law enforcement officers in uniform may be temporarily restricted or stopped by the frontier security authorities of the transit State should this appear to be necessary owing to special circumstances in the transit area.

Article 5. The provisions of articles 2 and 3 shall also apply to law enforcement officials performing their duties in plain clothes if they can demonstrate by means of a written service order that they are travelling in transit through the transit section in the performance of their duties.

Article 6. This Agreement shall also apply to *Land Berlin* unless the Government of the Federal Republic of Germany makes a declaration to the contrary to the Austrian Federal Government within three months after the entry into force of the Agreement.

Article 7. The provisions of this Agreement which relate to transit by road shall enter into force and cease to have effect simultaneously with the Agreement concerning Simplified Procedures for Transit Traffic by Road and the provisions which relate to transit by rail shall enter into force and cease to have effect simultaneously with the Agreement concerning Simplified Procedures for Transit Traffic by Rail.

IN WITNESS WHEREOF the Plenipotentiaries have signed this Agreement and have thereto affixed their seals.

DONE at Bonn on 14 September 1955 in two original copies.

For the Republic of Austria:

ROTTER

For the Federal Republic of Germany:

BERGER

BARGATZKY