

1437

No. 7953

AUSTRIA
and
BELGIUM, LUXEMBOURG and NETHERLANDS

Agreement on the acceptance of persons at the frontier.
Signed at Vienna, on 15 February 1965

Official texts: German, French and Dutch.

Registered by Austria on 28 September 1965.

AUTRICHE
et
BELGIQUE, LUXEMBOURG et PAYS-BAS

Accord sur la prise en charge de personnes à la frontière.
Signé à Vienne, le 15 février 1965

Textes officiels allemand, français et néerlandais.

Enregistré par l'Autriche le 28 septembre 1965.

[TRANSLATION — TRADUCTION]

No. 7953. AGREEMENT¹ BETWEEN THE FEDERAL GOVERNMENT OF THE REPUBLIC OF AUSTRIA, ON THE ONE HAND, AND THE GOVERNMENTS OF THE KINGDOM OF BELGIUM, THE GRAND DUCHY OF LUXEMBOURG AND THE KINGDOM OF THE NETHERLANDS, ON THE OTHER HAND, ON THE ACCEPTANCE OF PERSONS AT THE FRONTIER. SIGNED AT VIENNA, ON 15 FEBRUARY 1965

The Federal Government of the Republic of Austria, on the one hand, and the Governments of the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, acting jointly on the basis of the Convention of 11 April 1960² between them on the transfer of control of persons to the external frontiers of Benelux territory, on the other hand, have, with a view to regulating in a spirit of friendship the reciprocal acceptance of persons at the frontier, agreed as follows :

Article 1

(a) The competent authorities of the Republic of Austria shall, without formalities and without the necessity of action by the competent Austrian mission in Belgium, Luxembourg or the Netherlands, accept Austrian nationals whom the Belgian, Luxembourg or Netherlands authorities propose to deport if it is proved, or the presumption is established, that such persons possess ~~Austrian~~ nationality.

(b) Proof of Austrian nationality may be established on the basis of a certificate or other documentary evidence of nationality or of a decision by virtue of which Austrian nationality has been acquired or confirmed ; the presumption of Austrian nationality may be established by a passport or identity document issued by the Austrian authorities even if the same was not drawn up in proper form or has expired within the past ten years.

(c) The Belgian, Luxembourg or Netherlands Government shall readmit to its territory, within not more than six months after his acceptance, any person accepted in accordance with paragraph (a) who is shown by the Austrian authorities not to have had Austrian nationality at the time of his deportation, save where, under

¹ Came into force on the first day of the second month following the date of signature, i.e., on 1 April 1965, in accordance with article 9.

² United Nations, *Treaty Series*, Vol. 374, p. 3.

article 2, the Republic of Austria is required to accept such person or was so required at the time when it accepted him.

(d) Where the provisions of paragraph (a) are applied to an Austrian national under the age of twenty-one, the authorities of the State taking such action shall so inform the competent Austrian mission.

(e) Where proof or the presumption of Austrian nationality is not established in accordance with paragraphs (a) and (b) but circumstances exist which indicate that the person concerned possesses Austrian nationality, acceptance shall take place on the basis of a formal certificate of acceptance.

Application for acceptance shall be made to the competent Austrian diplomatic mission in Belgium, Luxembourg or the Netherlands, which, within not more than one month after the date of submission of the application, shall transmit the certificate of acceptance to the Ministry of Foreign Affairs of the State concerned or inform it of the reasons why the person concerned cannot be accepted.

Article 2

(a) The competent authorities of the Republic of Austria shall, at the request of the Belgian, Luxembourg or Netherlands authorities, accept a person who is not a national of one of the Contracting States if such person left Austria less than six months before such request was made, after a stay in Austria of not less than two weeks, and entered Belgium, Luxembourg or the Netherlands in an illegal manner.

(b) Acceptance by the Republic of Austria shall take place on the basis of a laissez-passer issued by the competent Austrian diplomatic mission. The laissez-passer shall be valid for twelve months.

(c) Application for the issue of a laissez-passer shall be made to the competent Austrian diplomatic mission in Belgium, Luxembourg or the Netherlands, which, within two months after the application is submitted, shall transmit the laissez-passer to the Ministry of Foreign Affairs of the State concerned or inform it of the reasons why the person concerned cannot be accepted.

(d) A local-banishment order that has become final or an order of expulsion or deportation from the territory of the Republic of Austria shall not preclude the issue of a laissez-passer.

(e) There shall be no obligation to accept a person who is a national of a State, other than a Contracting State, having a common frontier with Belgium, Luxembourg or the Netherlands unless compelling reasons exist for not deporting the person concerned to the territory of that State.