

No. 31847

**AUSTRIA
and
HUNGARY**

**Agreement on the taking over of persons at the common
frontier. Signed at Salzburg on 9 October 1992**

Authentic texts: German and Hungarian.

Registered by Austria on 24 May 1995.

**AUTRICHE
et
HONGRIE**

**Accord relatif à la prise en charge de personnes à la frontière
commune. Signé à Salzburg le 9 octobre 1992**

Textes authentiques : allemand et hongrois.

Enregistré par l'Autriche le 24 mai 1995.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF AUSTRIA AND THE GOVERNMENT OF THE REPUBLIC OF HUNGARY ON THE TAKING OVER OF PERSONS AT THE COMMON FRONTIER

The Government of the Republic of Austria and the Government of the Republic of Hungary (hereinafter referred to as the Contracting Parties),

Desiring to regulate, by way of an agreement, the reciprocal taking over of their own nationals and aliens from third countries at the common frontier in the spirit of good-neighbourly relations,

Being anxious to effectively control illegal migration in their mutual interest, in keeping with efforts made within the framework of European cooperation, supporting also the objective of broadening in future the scope of this Agreement as regards the persons affected,

Have agreed as follows:

Article 1

(1) Each Contracting Party, without any particular formalities, shall take over from the territory of the other Contracting Party any person who is convincingly shown to be one of its nationals. Should it subsequently be found that the person did not possess such nationality at the time of entry, this person shall be taken back by the other Contracting Party; this shall not apply if the officials of the Contracting Party that took over the person have wrongly issued a travel document to this person.

(2) If nationality cannot be substantiated, the diplomatic mission or consular post of the Contracting Party whose nationality the person is assumed to possess shall clarify the matter promptly on request.

Article 2

The intended repatriation of persons who require care owing to illness or in view of their age shall be made known by the competent authorities of the country of residence to the diplomatic mission or consular post of the person's country of origin. The time and place of the take-over shall be conveyed to the country of residence within one month of such notification.

Article 3

(1) Each Contracting Party shall take over an alien from a third country who has crossed the Austrian-Hungarian frontier illegally and

¹ Came into force on 20 April 1995, i.e., the thirtieth day after the Contracting Parties had notified each other (on 26 August 1993 and 21 March 1995) of the completion of their respective internal legal requirements, in accordance with article 7 (1).