



Doc. 818

30 April 1958

Simplification of Frontier Formalities

Report¹

Committee on Legal Affairs and Human Rights

Rapporteur: Mr Hermod LANNUNG, Denmark

1. 1958 - 10th Session - First part



A. Draft Recommendation

The Assembly,

Considering that the simplification and, as far as possible, abolition of frontier formalities for travel between Member States of the Council of Europe are among the most effective methods of achieving closer unity between those States;

Noting the creation, by Resolution (56) 22 of the Committee of Ministers, of a Special Committee of Senior Officials for the simplification of Frontier Formalities ;

Having been informed by the Committee of Ministers of the progress made in simplifying frontier formalities thanks, above all, to the work of the said Special Committee (Docs. 710 and 770);

Congratulating the Committee of Ministers and its Special Committee on this progress,

Recommends that the Committee of Ministers take the necessary steps to facilitate the work of the Special Committee set up under Resolution (56) 22 and take immediate action on the following proposals by transmitting them, for study, to the said Special Committee.

SECTION A

Passports

In view of the European Agreement on Regulations governing the Movement of Persons between Member States, signed in Paris on 13th December 1957, already ratified by Belgium, France and Italy and in process of ratification by Austria and the Federal Republic of Germany ;

Considering that, by the terms of this Agreement, nationals of the Contracting Parties, whatever their country of residence, may enter or leave the territory of any other Party by all frontiers on presentation of one of the identity cards listed in the Appendix to the said Agreement;

Considering that the facilities provided under this Agreement should be enjoyed by nationals of all the Member States lawfully resident in the territory of one of the Contracting Parties to the Agreement of 13th December 1957,

The Assembly recommends to the Committee of Ministers that it consider the possibility of extending the European Agreement on Regulations governing the Movement of Persons between Member States of the Council of Europe to cover nationals of all Member States of the Council lawfully residing in the territory of any of the Contracting Parties to the said Agreement.

SECTION B

Motor Vehicles

Noting with satisfaction that nine Member States have, in accordance with the proposals contained in Assembly Recommendation 84 (1955), already dispensed with customs documents for private motor vehicles registered abroad, national registration papers alone being required in order to cross their frontier;

Considering that other Member States have announced their willingness to introduce similar measures;

Believing that it would be well in these circumstances to standardise national motor registration papers as far as possible ;

Believing, further, that it is desirable to extend to other categories of vehicles the measures adopted in favour of private motor vehicles,

The Assembly recommends to the Committee of Ministers that it consider the possibility of standardising national motor registration papers and of abolishing customs documents for coaches and lorries.

B. Explanatory Memorandum

1.

1. The Committee notes with satisfaction the progress achieved in the simplification of frontier formalities on the basis of the Recommendations put forward by the Assembly in 1955 (Recommendations 84, 85 and 86). This progress cannot be better illustrated than by the two tables appended to this Report. It should be stressed that most of the progress made in this direction has been due to the efficient work of the Special Committee of Senior Officials for the Simplification of Frontier Formalities set up by Resolution (56) 22 of the Committee of Ministers under the chairmanship of M. Pinton, a Representative to the Consultative Assembly.

2. One important achievement in this sphere is the European Agreement on Regulations governing the Movement of Persons between Member States of the Council of Europe. This Agreement, which was signed in Paris on 13th December 1957, has now been ratified by Belgium, France and Italy and is in process of ratification by other States, with the result that additions to the number of Contracting Parties may be expected in the near future. By the terms of this Agreement nationals of the Contracting Parties, whatever their country of residence, may enter or leave the territory of another Party by all frontiers on presentation of one of the identity cards listed in the Appendix to the said Agreement; e.g. a valid official identity card or a child's travel certificate. In addition, France, for example, extends the facilities under this Agreement to French nationals lawfully residing in Belgium, Luxembourg and Switzerland. There can be no denying that this Agreement represents real progress. It is, however, to be hoped that efforts will henceforth be concentrated upon doing away completely with the need to produce documents when crossing frontiers, as is already the case for intra-Scandinavian travel. In the meantime, it would seem appropriate to extend the benefits of the Agreement to all nationals of Member States who lawfully reside in the territory of a Contracting Party to the Agreement, and who are therefore holders of foreigners identity cards issued by the competent authority of the Contracting Party. For it is in the interests of the Council of Europe to treat nationals of all Member States as equally as possible. The above-mentioned agreement is perfectly adapted to the achievement of this aim, since nothing more would be needed than an addition to the Appendix, without raising the question of the nationality of the person concerned or the power of the country of residence to control residence permits issued by it to nationals of another Member State.

3. Most of the Council of Europe countries have already dispensed with special customs documents for motor vehicles registered abroad travelling to another member country for tourist purposes and now only require national registration papers for customs control of the vehicle. Thus, national registration papers have become more important. In order to simplify the process of checking foreign-registered vehicles for the customs authorities of countries which no longer insist on customs documents, it would seem wise to try to standardise such national registration papers. It might also be suggested that these papers be printed not only in the language of the issuing country, but also in one of the official languages of the Council of Europe. This would no doubt help Member States which have not yet done so to decide to dispense with special customs documents for motor vehicles.

4. It should be borne in mind, however, that the measures adopted in this connection — which constitute undeniable progress as compared with the situation eight months ago — apply at present only to private motor vehicles, coaches and lorries being unable to cross frontiers except under cover of one of the normal customs documents. But no valid argument can be put forward for such discrimination. On the contrary, as these measures have been taken to encourage touring, it is essential that coaches, in particular, should benefit by them.

5. Since the measures advocated in the draft Recommendation are connected with points on the programme of the Special Committee set up under Resolution (56) 22, the Committee proposes that the Committee of Ministers instruct the Special Committee to examine these proposals.

Abolition of passports for travel between two or more member countries as at 1st April 1958

| | AUSTRIA | BELGIUM | DENMARK | FRANCE | FEDERAL REPUBLIC OF GERMANY | GREECE | ICELAND | IRELAND | ITALY | LUXEMBOURG | NETHERLANDS | NORWAY | SWEDEN | TURKEY | UNITED KINGDOM |
|-----------------------------|---------|---------|---------|--------|-----------------------------|--------|---------|---------|-------|------------|-------------|--------|--------|--------|----------------|
| Austria | | | | X | X | | | | | | | | | | |
| Belgium | | | | X | X | | | | X | X | X | | | | |
| Denmark | | | | | | | X | | | | | X | X | | |
| France | X | X | | X | | | | | | X | X | | | | |
| Federal Republic of Germany | X | X | | X | | | | X | X | X | | | | | |
| Greece | | | | | | | | | | | | | | | |
| Iceland | | | X | | | | | | | | | X | X | | |
| Ireland | | | | | | | | | | | | | | | X |
| Italy | | X | | X | | | | | | | | | | | |
| Luxembourg | | X | | X | X | | | | | | X | | | | |
| Netherlands | | X | | X | X | | | | | X | | | | | |
| Norway | | | X | | | | X | | | | | | X | | |
| Sweden | | | X | | | | X | | | | | X | | | |
| Turkey | | | | | | | | | | | | | | | |
| United Kingdom | | | | | | | | X | | | | | | | |

Non-bilateral steps taken by Member States to simplify frontier formalities for the nationals of other Member States — Progress up to 15th April 1958

| | | | | | AIR TRAFFIC (RESOLUTION (57) 19 OF THE COMMITTEE OF MINISTERS) | MOTOR VEHICLES | |
|---|---|--|---|---|--|--|---|
| | ABOLITION OF ABOLITION OF NATIONALS OF MEMBER STATES | EUROPEAN AGREEMENT ON REGULATION GOVERNING THE MOVEMENT OF PERSONS BETWEEN MEMBER COUNTRIES OF THE COUNCIL OF EUROPE 1 | UNIFORM IDENTITY CARD (RESOLUTION OF THE COUNCIL OF O. E. E. C.) | CUSTOMS CONCESSIO AND SPOT CHECK! [RES. (57) 18 OF THE COMMITTEE C MINISTERS] | ABOLITION OF PASSENGER MANIFESTS FOR INTER- EUROPEAN FLIGHTS | ABOLITION OF EMBARKATI ON AND LANDING CARDS | ABOLITION OF CUSTOMS PAPERS FOR PRIVATE TOURIST VEHICLES |
| Date and place of signature or of undertaking given | See Section B of Recommend ation 84 (1955) of the Consultative Assembly | Paris 13.XII.1957 | 17-IV-1957 | 16.XI.1957 | | | [See Section C of Recommend ation 84 (1955) of the Consultative Assembly] |
| Conditions for entry into force | | 3 ratifications | Decision binding Member States taken by virtue of Art. 13 (a) of the Convention on European Economic Co-operation | A recommenda tion to Member Government s onl; | | | |
| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| Austria | yes | | | | yes | yes | 1.VIII.1957 |
| See European Treaty Series No. 25. | | | | | | | |
| Denmark, Iceland, Norway, Sweden and Finland have abolished the presentation of passports for their respective nationals. | | | | | | | |
| Greece has availed itself of the provision in Article 7 allowing countries not to put the said European | | | | | | | |

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| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| Belgium | yes | 13.XII.1957 | | | yes | yes | 1.IV.1958 |
| See European Treaty Series No. 25. Denmark, Iceland, Norway, Sweden and Finland have abolished the presentation of passports for their respective nationals. Greece has availed itself of the provision in Article 7 allowing countries not to put the said European Agreement into force | | | | | | | |

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| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| Denemark | yes | not signed | | | yes | | 1.IV.1958 |
| See European Treaty Series No. 25. Denmark, Iceland, Norway, Sweden and Finland have abolished the presentation of passports for their respective nationals. Greece has availed itself of the provision in Article 7 allowing countries not to put the said European Agreement into force | | | | | | | |

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| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| France | yes | 13.XII.1957 | New regulations came into force on 1.10.57 | | yes | | 30.111.1958 |

See
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Treaty Series
No. 25.

Denmark,
Iceland,
Norway,
Sweden and
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for their
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nationals.

Greece has
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of the
provision in
Article 7
allowing
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| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| Fed. Rep. of Germany | yes | | | New regulations came into force on 1.10.57 | yes | yes | 1.1.1958 |

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| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| Greece | yes | 13.XII.1957 | | | | | |
| See European Treaty Series No. 25. Denmark, Iceland, Norway, Sweden and Finland have abolished the presentation of passports for their respective nationals. Greece has availed itself of the provision in Article 7 allowing countries not to put the said European Agreement into force | | | | | | | |

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| Iceland | yes | not signed | | | | | |
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| Ireland | yes | not signed | | | | | |
| See European Treaty Series No. 25. Denmark, Iceland, Norway, Sweden and Finland have abolished the presentation of passports for their respective nationals. Greece has availed itself of the provision in Article 7 allowing countries not to put the said European Agreement into force | | | | | | | |

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| Italy | yes | 13.XII.1957 | | | | | |
| See European Treaty Series No. 25. Denmark, Iceland, Norway, Sweden and Finland have abolished the presentation of passports for their respective nationals. Greece has availed itself of the provision in Article 7 allowing countries not to put the said European Agreement into force | | | | | | | |

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| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| Luxembourg | yes | | | | yes | yes | 1.IV.1958 |
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| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| Netherlands | yes | not signed | see note | | yes | yes | 1.IV.1958 |
| See European Treaty Series No. 25. Denmark, Iceland, Norway, Sweden and Finland have abolished the presentation of passports for their respective nationals. Greece has availed itself of the provision in Article 7 allowing countries not to put the said European Agreement into force | | | | | | | |

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| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| Norway | yes | not signed | | | yes | | 15.IV.1958 |
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| | ABOLITION OF ABOLITION OF NATIONALS OF MEMBER STATES | EUROPEAN AGREEMENT ON REGULATIONS GOVERNING THE MOVEMENT OF PERSONS BETWEEN MEMBER COUNTRIES OF THE COUNCIL OF EUROPE 1 | UNIFORM IDENTITY CARD (RESOLUTION OF THE COUNCIL OF O. E. E. C.) | CUSTOMS CONCESSIC AND SPOT CHECK! [RES. (57) 18 OF THE COMMITTEE C MINISTERS] | ABOLITION OF PASSENGER MANIFESTS FOR INTER- EUROPEAN FLIGHTS | ABOLITION OF EMBARKATI ON AND LANDING CARDS | ABOLITION OF CUSTOMS PAPERS FOR PRIVATE TOURIST VEHICLES |
| Date and place of signature or of undertaking given | See Section B of Recommend ation 84 (1955) of the Consultative Assembly | Paris 13.XII.1957 | 17-IV-1957 | 16.XI.1957 | | | [See Section C of Recommend ation 84 (1955) of the Consultative Assembly] |
| Conditions for entry into force | | 3 ratifications | Decision binding Member States taken by virtue of Art. 13 (a) of the Convention on European Economic Co-operation | A recommenda tion to Member Government s onl; | | | |
| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| Sweden | yes | not signed | | | yes | | 1.1.1958 |
| See European Treaty Series No. 25. Denmark, Iceland, Norway, Sweden and Finland have abolished the presentation of passports for their respective nationals. Greece has availed itself of the provision in Article 7 allowing countries not to put the said European Agreement into force | | | | | | | |

| | | | | | AIR TRAFFIC (RESOLUTION (57) 19 OF THE COMMITTEE OF MINISTERS) | | MOTOR VEHICLES |
|--|---|--|---|--|---|--|---|
| | ABOLITION OF ABOLITION OF NATIONALS OF MEMBER STATES | EUROPEAN AGREEMENT ON REGULATIONS GOVERNING THE MOVEMENT OF PERSONS BETWEEN MEMBER COUNTRIES OF THE COUNCIL OF EUROPE 1 | UNIFORM IDENTITY CARD (RESOLUTION OF THE COUNCIL OF O. E. E. C.) | CUSTOMS CONCESSIC AND SPOT CHECK! [RES. (57) 18 OF THE COMMITTEE C MINISTERS] | ABOLITION OF PASSENGER MANIFESTS FOR INTER- EUROPEAN FLIGHTS | ABOLITION OF EMBARKATI ON AND LANDING CARDS | ABOLITION OF CUSTOMS PAPERS FOR PRIVATE TOURIST VEHICLES |
| Date and place of signature or of undertaking given | See Section B of Recommend ation 84 (1955) of the Consultative Assembly | Paris 13.XII.1957 | 17-IV-1957 | 16.XI.1957 | | | [See Section C of Recommend ation 84 (1955) of the Consultative Assembly] |
| Conditions for entry into force | | 3 ratifications | Decision binding Member States taken by virtue of Art. 13 (a) of the Convention on European Economic Co-operation | A recommenda tion to Member Government s onl; | | | |
| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| Turkey | yes | not signed | | | yes | | |
| See European Treaty Series No. 25. Denmark, Iceland, Norway, Sweden and Finland have abolished the presentation of passports for their respective nationals. Greece has availed itself of the provision in Article 7 allowing countries not to put the said European Agreement into force | | | | | | | |

| | | | | | AIR TRAFFIC (RESOLUTION (57) 19 OF THE COMMITTEE OF MINISTERS) | | MOTOR VEHICLES |
|---|---|--|---|--|---|--|---|
| | ABOLITION OF ABOLITION OF NATIONALS OF MEMBER STATES | EUROPEAN AGREEMENT ON REGULATIONS GOVERNING THE MOVEMENT OF PERSONS BETWEEN MEMBER COUNTRIES OF THE COUNCIL OF EUROPE 1 | UNIFORM IDENTITY CARD (RESOLUTION OF THE COUNCIL OF O. E. E. C.) | CUSTOMS CONCESSIC AND SPOT CHECK! [RES. (57) 18 OF THE COMMITTEE C MINISTERS] | ABOLITION OF PASSENGER MANIFESTS FOR INTER- EUROPEAN FLIGHTS | ABOLITION OF EMBARKATI ON AND LANDING CARDS | ABOLITION OF CUSTOMS PAPERS FOR PRIVATE TOURIST VEHICLES |
| Date and place of signature or of undertaking given | See Section B of Recommendation 84 (1955) of the Consultative Assembly | Paris 13.XII.1957 | 17-IV-1957 | 16.XI.1957 | | | [See Section C of Recommendation 84 (1955) of the Consultative Assembly] |
| Conditions for entry into force | | 3 ratifications | Decision binding Member States taken by virtue of Art. 13 (a) of the Convention on European Economic Co-operation | A recommendation to Member Governments only; | | | |
| Date of entry into force | | 1.1.1958 | 1.1.1959 | | | | I-VIII-1957 |
| United Kingdom See European Treaty Series No. 25. Denmark, Iceland, Norway, Sweden and Finland have abolished the presentation of passports for their respective nationals. Greece has availed itself of the provision in Article 7 allowing countries not to put the said European Agreement | yes | not signed | see note | | yes | | |