

No. 30628

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**AUSTRIA
and
SLOVENIA**

**Agreement on the taking over of persons at the common
border. Signed at Vienna on 3 December 1992**

Authentic texts: German and Slovene.

Registered by Austria on 11 January 1994.

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**AUTRICHE
et
SLOVÉNIE**

**Accord relatif à la prise en charge des personnes à la frontière
commune. Signé à Vienne le 3 décembre 1992**

Textes authentiques : allemand et slovène.

Enregistré par l'Autriche le 11 janvier 1994.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF AUSTRIA AND THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA ON THE TAKING OVER OF PERSONS AT THE COMMON BORDER

With a view to regulating in a spirit of good-neighbourliness the mutual taking over of their own nationals and those of third countries on their common border, the Government of the Republic of Austria and the Government of the Republic of Slovenia (hereinafter referred to as the “Contracting Parties”) have agreed as follows:

Article 1

(1) Each Contracting Party shall, without special formalities, take over from the territory of the other Contracting Party any person in respect of whom there is reliable evidence that he is a national of the first-mentioned Contracting Party. Should it later be found that at the time of his entry into the country the person in question was not a national of that Contracting Party, he must be taken back by the other Contracting Party; this shall not apply if the authorities of the Contracting Party that has taken over the person in question wrongfully issued him a travel document.

(2) If there is no reliable evidence of the person’s nationality, the diplomatic or consular mission of the Contracting Party of which the person is presumably a national shall, on request, clear up the matter without delay.

Article 2

The handing over of a person who, because of his age, state of health or some other serious reason, requires special care shall be announced in advance to the diplomatic or consular mission of the Contracting Party of which the person is a national in order that that Contracting Party may take the necessary measures for taking over the person. The Contracting Party in whose territory the person is located shall be informed within one month of the said announcement where and when the take-over is to take place.

Article 3

(1) Each Contracting Party shall take over third-country nationals who have illegally entered from its territory the territory of the other Contracting Party.

(2) The requested Contracting Party shall take over a third-country national on the basis of a take-over declaration. The take-over application may be made at any time within a maximum period of 90 days following the third-country national’s illegal entry. The application shall contain personal data regarding the person to be taken over as well as data that constitute reliable evidence that he has illegally

¹ Came into force on 1 September 1993, i.e., the first day of the first month following the month in which the Contracting Parties had notified each other (on 22 March and 20 August 1993) of the completion of the internal requirements, in accordance with article 7 (1).