

The crossings of the Dreiland

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The physical border around Basel is long and permeable. Within a radius of a few kilometres, the city has more than a dozen road crossings with Germany and France, several railway lines, two cross-border tram lines and the Rhine itself, which forms the border with Germany downstream of the city. The busiest freight crossing is the motorway crossing between Weil am Rhein and Basel, where the German A5 meets the Swiss A2. Here a joint customs facility on Swiss territory houses German and Swiss officials, who carry out their exit and entry controls side by side. A similar arrangement exists on the French side at the motorway crossing between Saint-Louis and Basel, at the junction of the French A35 and the Swiss A3.¹

These joint facilities rest on bilateral treaties that predate both Schengen and the European Union's common customs policy. Switzerland and the Federal Republic of Germany concluded an agreement on the establishment of juxtaposed national control offices and on controls in vehicles during the journey in 1961, one year after Switzerland and France had concluded a comparable convention. Under these treaties, the officials of one state may exercise their powers on the territory of the other within a defined zone. A German customs officer at the motorway office in Basel therefore applies German law on Swiss soil, which is a remarkable concession of sovereignty that both states have accepted for practical reasons.²

The Badischer Bahnhof is the most striking example of this layering of sovereignty. Built on Swiss territory under a treaty of 1852 between the Swiss Confederation and the Grand Duchy of Baden, the station was operated by the Baden and later the German railways. German customs and police exercise defined powers on its premises to this day. Travellers arriving from Germany used to pass German and Swiss controls within the station before entering the city. Since Schengen, the controls of persons have largely disappeared, but the customs functions remain. The station

also serves as a reminder that the legal geography of Basel has long been more complex than the national map suggests.³

The tram lines add a modern dimension. Line 8 of the Basel transport company has run to Weil am Rhein since 2014, followed in 2017 by the extension of line 3 to Saint-Louis. Since passengers cross the border without stopping, customs control on these lines takes the form of occasional mobile checks by officers who board the tram. For shoppers who bring back goods from Germany or France, the tram is the most common route, which has made it a frequent place of customs checks for meat, alcohol and tobacco above the allowances. The Rhine adds another crossing, since barges loaded in the German ports or in Rotterdam enter Swiss customs territory when they reach the Basel ports, whose customs procedures chapter I of this Part described.⁴

1 Notes

1. On the joint customs facilities (Gemeinschaftszollanlagen) at Basel/Weil am Rhein and Basel/Saint-Louis, see the FOCBS information on customs offices in the Basel region. To be verified. ↩
2. Agreement of 1 June 1961 between the Swiss Confederation and the Federal Republic of Germany on juxtaposed national control offices and controls in vehicles during the journey (SR 0.631.252.913.690); Convention of 28 September 1960 between Switzerland and France on juxtaposed national control offices and controls during the journey (SR 0.631.252.934.95). Dates and SR numbers to be verified. ↩
3. Treaty of 27 July 1852 between the Swiss Confederation and the Grand Duchy of Baden concerning the continuation of the Baden railways through Swiss territory (SR 0.742.140.313.61); on the Badischer Bahnhof, see Part D, chapter I. To be verified. ↩
4. On the cross-border tram lines 8 (Weil am Rhein, opened December 2014) and 3 (Saint-Louis, opened December 2017), see the publications of the Basler Verkehrs-Betriebe; on customs at the Rhine ports, see chapter I of this Part. To be verified. ↩

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