

N° 479.

**ITALIE
ET ROYAUME DES SERBES,
CROATES ET SLOVÈNES**

Convention concernant le régime douanier et le trafic de frontière entre Zara et les territoires limitrophes, signée à Rome le 23 octobre 1922.

**ITALY AND
KINGDOM OF THE SERBS,
CROATS AND SLOVENES**

Convention concerning the customs régime and frontier-traffic between Zara and the adjacent territories, signed at Rome, October 23, 1922.

TEXTE ITALIEN. — ITALIAN TEXT.

No. 479. — CONVENZIONE¹ FRA IL REGNO D'ITALIA ED IL REGNO DEI SERBI, CROATI E SLOVENI, CONCERNENTE IL REGIME DOGANALE ED IL TRAFFICO DI FRONTIERA FRA ZARA ED I TERRITORI LIMITROFI, FIRMATA A ROMA IL 23 OTTOBRE 1922.

Official French and Italian texts communicated by the Italian Representative on the Council of the League of Nations and by the Minister for the Kingdom of the Serbs, Croats and Slovenes at Berne². The registration of this convention took place September 12, 1923.

S. M. IL RE d'ITALIA e S. M. IL RE DEI SERBI, CROATI E SLOVENI, animati dal desiderio di procedere all'esecuzione delle disposizioni contenute nell'accordo stipulato in data odierna, e concernenti i territorio di Zara, hanno deliberato di concludere una Convenzione a quest'effetto ed hanno nominato loro plenipotenziari :

SUA MAESTÀ IL RE d'ITALIA :

S. E. Carlo SCHANZER, Senatore del Regno, Suo Ministro degli Affari Esteri ;

SUA MAESTÀ IL RE DEI SERBI, CROATI e SLOVENI :

S. E. VOISLAV ANTONIEVITCH, Suo Inviato Straordinario e Ministro Plenipotenziario ;

i quali, dopo lo scambio dei loro pieni poteri, trovati in buona e debita forma, hanno convenuto quanto segue :

REGIME DOGANALE.

Articolo 1.

Il territorio di Zara, sebbene si trovi sotto la sovranità del Regno d'Italia, non è compreso nel territorio doganale di detto Regno.

L'Italia s' impegna a non stabilire nessun diritto speciale sulla esportazione delle merci destinate al territorio di Zara, nè proibizioni o restrizioni riguardanti tali esportazioni.

Articolo 2.

Il Regno dei Serbi, Croati e Sloveni s'impegna a non adottare alcuna misura eccezionale contro le esportazioni dal Regno nel territorio di Zara, dei prodotti alimentari di qualsiasi genere.

¹ The exchange of ratifications took place at Rome, February 26, 1923.

² See foot note 2 page 406 of this volume.

¹ TRADUCTION. — TRANSLATION.

No. 479. — CONVENTION BETWEEN THE KINGDOM OF ITALY AND THE KINGDOM OF THE SERBS, CROATS AND SLOVENES CONCERNING THE CUSTOMS REGIME AND FRONTIER TRAFFIC BETWEEN ZARA AND THE ADJACENT TERRITORIES, SIGNED AT ROME, OCTOBER 23, 1922.

HIS MAJESTY THE KING OF ITALY and HIS MAJESTY THE KING OF THE SERBS, CROATS AND SLOVENES, being desirous of proceeding to the execution of the provisions contained in the Agreement concluded this day concerning the territory of Zara, have resolved to conclude a Convention to this effect and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF ITALY :

His Excellency M. Carlo SCHANZER, Senator of the Kingdom, His Majesty's Minister for Foreign Affairs ;

HIS MAJESTY THE KING OF THE SERBS, CROATS AND SLOVENES :

His Excellency M. Voislav ANTONIEVITCH, His Majesty's Envoy Extraordinary and Minister Plenipotentiary ;

Who, having communicated their full powers, found in good and due form, have agreed upon the following provisions :

CUSTOMS REGULATIONS.

Article 1.

The territory of Zara, although under the sovereignty of the Kingdom of Italy, is not included in the Customs area of that kingdom.

Italy undertakes not to impose any special duty on the export of merchandise destined for the territory of Zara or any prohibitions or restrictions in regard to such exports.

Article 2.

The Kingdom of the Serbs, Croats and Slovenes undertakes not to adopt any exceptional measures against the export of food stuffs of any kind from the Kingdom into the territory of Zara.

In any case, the duties or other taxes on export and the prohibitions or other restrictions which may be imposed in general in respect of exports from the said Kingdom shall not be applied to the exports into the territory of Zara of the products mentioned in the list annexed hereto (Annex A), provided these products come from and originate in the zone of the territory of the Kingdom, the boundaries of which are marked in the plan annexed hereto (Annex B).

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

Article 3.

The products mentioned below, coming from and originating in the territory of Zara and destined for consumption in the frontier zone of the Kingdom of the Serbs, Croats and Slovenes mentioned in Article 2, shall be allowed to enter into the said zone free of Customs duties or taxes of any kind :

Hay, straw, grass for fodder, dry leaves, living plants, fresh vegetables, unhewn wood, firewood, charcoal, peat, and peat charcoal, dried ground olives, oilcakes and other by-products of pressed oil seeds and fruits, ashes for washing, fertilisers, wine lees, spoiled wine, refuse, clay, products of the milling of cereals temporarily imported from the said frontier zone, to be milled in the territory of Zara, taking into account the percentage of the yield, meat to an amount not exceeding ten kilogrammes, flour from cereals and vegetables to an amount not exceeding ten kilogrammes, bread and farinaceous pastes to an amount not exceeding ten kilogrammes, butter and cheese to an amount not exceeding five kilogrammes, and artificial ice.

The products mentioned in the annexed table (Annex C), coming from and originating in the territory of Zara, shall enjoy, up to the amount of the annual quantity laid down in each case in that table, the same exemption upon being imported into the said frontier zone, and if they are not in excess of the quantities fixed, they shall not be subject to any restrictions, import prohibitions, or internal duties which are not also imposed on the same products manufactured in the Kingdom of the Serbs, Croats and Slovenes.

Entrance free of duty shall not be granted to the products mentioned above, no matter what the amount may be, when they are imported through the post, even if they are destined for the use of the inhabitants of the said frontier zone.

Regulations with regard to these privileges and the measures to be adopted in case of abuse shall be established by agreement between the competent administrations of the two High Contracting Parties.

Article 4.

At points on the frontier between the territory of Zara and the adjacent zone of the Kingdom of the Serbs, Croats and Slovenes where the need is recognised, such medicaments as the inhabitants of the said zone may go to buy in pharmacies situated in the territory of Zara, on presentation of medical prescriptions, and in small quantities corresponding to the needs of the purchasers, shall be admitted free of Customs duties and of stamp duties. As regards imports under the above conditions, the obligation to produce the prescription may be waived in cases relating merely to medicinal drugs or chemical or pharmaceutical preparations which bear on the wrapper the exact pharmaceutical description and the sale and use of which are freely permitted in the territory where they are destined to be consumed.

Article 5.

Nationals of the High Contracting Parties having their dwellings or farms in the territory of Zara and landed property in the frontier zone of the Kingdom of the Serbs, Croats and Slovenes mentioned in Article 2, or having their dwellings or farms in the said zone and landed property in the territory of Zara, shall have the right to transport to their dwellings and farms across the frontier line between the said territory of Zara and the said zone, even by routes which are not Customs routes, free from import or export duties and from all taxes or imposts, and without being subject to import or export prohibitions, all produce harvested upon their property during the whole period from the beginning of the harvest season until the end of December.

Persons in the position described in the first paragraph of this article shall also have the right to transport across the said frontier line, under the same conditions of freedom from duties, taxes and prohibitions, the animals, wagons and all the implements and utensils necessary for agricultural work, as well as the building materials required for the repair of buildings situated upon the said

property, and the necessary food for the maintenance of the workmen and the animals, during the whole period of the agricultural work or the repair of the buildings.

The provisions set forth above shall also apply in the event of the persons mentioned above having to perform work in the forests or work rendered necessary by forest requirements.

All these provisions shall apply also to the representatives of corporate bodies and legal entities in the territory of Zara which possess landed property or rights in respect of land in the zone of the Kingdom of the Serbs, Croats and Slovenes mentioned in Article 2, as well as to the representatives of corporate bodies and legal entities in that zone who possess landed property or rights in respect of land in the territory of Zara.

The regulations with regard to these privileges and the measures to be adopted in case of abuse shall be established by agreement between the competent administrations of the two High Contracting Parties.

Article 6.

The owners or tenants of lands separated from their respective dwellings and farms by the frontier between the territory of Zara and the Kingdom of the Serbs, Croats and Slovenes shall be entitled to transport their cattle for pasturage from their houses and farms to the said lands without being subject to import or export duties.

In cases in which the return from pasturage takes place on the same day, the competent Customs offices shall merely exercise supervision by measures sufficient to prevent abuse, without, however, subjecting the cattle to the Customs regulations concerning temporary importation. In any case, these regulations may only be adopted in accordance with rules to be established by agreement between the Governments of the two Contracting States.

Article 7.

The owners or tenants of lands in localities situated within the territory of the Kingdom of the Serbs, Croats and Slovenes, but separated from each other by the territory of Zara, shall be permitted to transport produce and cattle across this territory without any Customs restrictions, upon the same conditions and within the same limits as those mentioned in Articles 5 and 6.

Article 8.

The movement of animals between the territory of Zara and the frontier zone of the Kingdom of the Serbs, Croats and Slovenes mentioned in Article 2 shall in general be exempt from all sanitary measures.

Nevertheless, if cases of foot-and-mouth disease or other diseases of a very contagious nature are reported in the said territory or in the said zone, the animals of the kind or kinds subject to the contagion coming from the infected regions must be provided, in order to be allowed to cross the frontier, with a certificate, given by the competent municipal authority, to the effect that the animals mentioned in the certificate come from a locality free from the disease in question.

Whenever, within the territory of Zara or in the above-mentioned frontier zone, cases of cattle plague have been reported, all movement of cattle, and all transport of animal products and animal residues, as well as of straw, fodder, etc., between the said territory and the said zone shall be forbidden.

FRONTIER PERMITS.

Article 9.

The inhabitants of the territory of Zara and of the frontier zone of the Kingdom of the Serbs, Croats and Slovenes mentioned in Article 2 shall be entitled to cross the frontier freely and to travel

in the said territory and in the said zone without conforming to the regulations concerning passports, on condition that they are provided with a " frontier permit " issued by the authorities in accordance with the conditions stipulated in the following articles.

They shall also be entitled to cross the frontier and proceed on horseback, by carriage or by any other vehicle, upon condition of conforming to the Customs regulations concerning the passage of these means of transport across the frontier.

Children under twelve years of age, accompanied by adults possessing frontier permits, shall be exempt from the obligation of presenting a frontier permit for inspection.

Article 10.

For the purpose of the provisions of the preceding article, the following persons shall be considered as inhabitants of the territory or of the zone mentioned therein :

- (a) All the persons residing habitually in the territory of Zara or in the said zone, and all persons who, though residing outside the said territory or zone, own or lease land or carry on an undertaking for profit there ;
- (b) The employees of the owners or tenants mentioned in paragraph (a) employed by the latter in a permanent capacity in connection with their work or industry in the territory of Zara or in the said zone ;
- (c) The representatives and employees of corporate bodies or legal entities carrying on an undertaking for profit within the said territory or the said zone, provided that these representatives or employees habitually discharge their functions in the place where the occupation is carried on.

Article 11.

The frontier permits mentioned in Article 9, of which a specimen is annexed hereto (Annex D), shall be issued by the district police authorities of the country concerned.

In order to be valid, the frontier permits must be viséd either by the Consular authorities of the other State or by those authorities of that State who are authorised to issue such cards.

The validity of the frontier permits shall be limited to one year, but if they are issued to the employees of an undertaking operating for a shorter period, their validity shall be limited to the period during which the undertaking is in operation, though it may, at the end of that period, be extended so as to make the permits valid for one year in all.

The frontier permits shall bear a description of the person in accordance with the regulations in force with regard to passports.

Article 12.

In cases of extreme urgency (death, sudden illness, funerals and similar events) the officials charged with the duty of supervision at the frontier may issue to persons who do not possess frontier permits a pass (" carte de passage "), of which a specimen is annexed hereto (Annex E), valid for passing once from the territory of Zara into the frontier zone of the Kingdom of the Serbs, Croats and Slovenes and vice versa.

These cards must be viséd at the time of entrance into the other State by the Frontier Control Office of that State and shall be valid for three days.

Article 13.

The frontier permits and the passes mentioned in the preceding articles together, with the visas thereon, shall not be subjected to any stamp duties or other charges.

Article 14.

Subject to the exceptions provided for in the present regulations, the passage of the frontier upon presentation of frontier permits and passes may only take place at the frontier stations designated by agreement between the respective political and Customs authorities.

These stations shall be indicated upon the frontier permits and passes.

Article 15.

In cases of emergency (especially in the event of a serious case), physicians, midwives and veterinary surgeons residing in the territory of Zara may be admitted to exercise their profession in the frontier zone of the Kingdom of the Serbs, Croats and Slovenes. In similar circumstances, physicians, midwives and veterinary surgeons residing within the said zone may be admitted to exercise their profession within the territory of Zara.

The necessary consent of the competent authorities shall be given by means of a marginal note to be made upon the respective frontier permits at the time of issue.

In the cases mentioned above, physicians, midwives and veterinary surgeons shall also be allowed to cross the frontier by secondary roads, by day or by night, on foot, on horseback, by carriage, or by any other vehicle, provided that they possess the necessary Customs Office authorisation. Furthermore, they may carry free of duty the objects necessary for the exercise of their profession (instruments, bandages, medicaments), to an amount which shall be proportionate on each occasion to the needs of those who require their assistance.

MAINTENANCE OF ROADS.

Article 16.

The High Contracting Parties shall take the necessary measures in order that the authorities and administrations legally responsible should maintain in accordance with traffic requirements, and keep free from snow, those public roads which are intersected by the frontier between the territory of Zara and the Kingdom of the Serbs, Croats and Slovenes.

With regard to the roads entering the frontier or leaving it, or those which for some distance run along or astride the frontier, the High Contracting Parties shall come to an agreement for the purpose of determining those roads which shall be maintained in accordance with the provisions quoted above and the methods by which this shall be effected.

When material required for gravelling one of these roads has hitherto been obtained from a quarry now situated in the territory of the other State the supply and transport of the gravel shall be facilitated by methods to be established by mutual agreement between the respective competent administrations.

WATER SUPPLY.

Article 17.

The Government of the Kingdom of the Serbs, Croats and Slovenes undertakes neither to carry out nor to cause to be carried out, nor to allow to be carried out, within the zone of the Bocca-gnazzo Lake and its neighbourhood allocated to the said Kingdom, any work or undertaking which might affect in any manner the volume and quality of the water supply of the town of Zara, or might render the obtaining of such water more difficult.

Article 18.

The Government of the Kingdom of the Serbs, Croats and Slovenes shall grant to the Government of the Kingdom of Italy the faculty of carrying out and of causing to be carried out within the zone of the lake assigned to the Kingdom of the Serbs, Croats and Slovenes and its neighbourhood such works and undertakings as would be likely to ensure to the town of Zara the quantity of water required, should the supply appear insufficient owing to any cause whatever.

Article 19.

The Government of the Serbs, Croats and Slovenes binds itself not to undertake nor cause to be undertaken any works or enterprises which may in any manner whatever affect the springs and water currents feeding the old aqueduct of Murvizza. It likewise undertakes to guarantee to the Italian Government full liberty to carry out any works which may subsequently be considered necessary in the surrounding regions for the purpose of preserving the water power of the Murvizza basin without affecting local requirements, and to give free access to the experts and workmen engaged upon works of this nature.

The compensation to be paid, should occasion arise, to the owners of land in the said regions shall be charged to the Italian Government.

Article 20.

Persons residing in the islands of Ugliano, Eso, Rivanj and Sestruni shall be entitled to draw their water supply from the public wells of Zara provided that local requirements shall not be affected.

The present Convention shall be ratified and the ratifications shall be exchanged at Rome. It shall come into force within twelve days after ratification.

In witness whereof the plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done at Rome in duplicate, in Italian and French, on October 23, 1923.

(L. S.) (Signed) CARLO SCHANZER.

(L. S.) (Signed) VOISLAV ANTONIEVITCH.

ANNEX A.

List of the products of the Kingdom of the Serbs, Croats and Slovenes of which the export to the territory of Zara shall be free of all duty or taxes and shall not be liable to prohibitions or restrictions in so far as these products come from and originate in the zone of the territory of the said Kingdom, the frontiers of which are fixed in the provisions of Article 2.

| | | | | | | | | | |
|----------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Olive oil | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Wine | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Vinegar | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Butcher's meat | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Poultry | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Eggs | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Fresh milk | ... | ... | ... | ... | ... | ... | ... | ... | ... |

| | Annual amount | |
|-----------------------------------|---------------|-------|
| | cwts. | 1,000 |
| 15. Cereals | » | 200 |
| 16. Fish, fresh and salted | » | 500 |
| 17. Farinaceous pastes | » | 5 |
| 18. Insecticide powder | » | |

Note. — Shall be admitted over and above these amounts, and consequently not included in the quantities given above, small amounts of the said products not exceeding 5 kg. in the case of articles enumerated under 9, 10, 12 and 13, and 2 kg. in the case of the remainder, if brought in by hand by persons crossing the frontier and intended for their personal and daily use.

ANNEX D.

FRONTIER PERMIT.

Signature of holder :

Personal characteristics :

Height It is certified that M

Figure the holder of this permit born, at

Colouring day

Hair belonging to the parish of

Beard Profession

Eyes Habitually residing in the parish of

Nose

Mouth

Forehead

Special characteristics

and { owns landed property } at

 { rents landed property }

 { carries on an occupation for profit }

Or : is in the service of M.....

owner of landed property at

working permanently at and

Or : representative (or employee) of

possessing an undertaking at

M. is therefore authorised

to cross the frontier between the territory of Zara and that of the adjacent zone of the Kingdom of the Serbs, Croats and Slovenes by the Road

and to remain freely in the said territory of Zara and in the frontier zone of the Kingdom of the Serbs, Croats and Slovenes.

This permit shall not be used for authorising journeys beyond the said territory of Zara and the said frontier zone.

This permit is valid until

.....

Misuse of this permit cancels its validity.

Date day

.....

Visa :

Authority granting the permit :

ANNEX E.

PASS

Granted to M.
 Living at

For a single journey into the territory of

Travelling by the Road

Valid until

Date day

Visa :

Frontier Control Authority :

Observation. — A pass may be granted by the Frontier Control Authority in urgent cases (death, sudden illness, funerals, etc.). Such a pass must be viséd at the frontier by the Control Authority of the other State and its period of validity does not exceed three days.

The pass shall not be used for authorising journeys beyond the territory of Zara or that of the adjacent zone of the Kingdom of the Serbs, Croats and Slovenes.