

N° 773.

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**HONGRIE  
ET TCHÉCOSLOVAQUIE**

Protocole II dressé au sujet de la  
carrière de basalte au nord de  
Somoskö, signé à Prague, le 9  
février 1924.

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**HUNGARY  
AND CZECHOSLOVAKIA**

Protocol II relating to the basalt  
quarry situated to the North of  
Somoskö, signed at Prague, Feb-  
ruary 9, 1924.

<sup>1</sup> TRADUCTION — TRANSLATION.

No. 773. — PROTOCOL II<sup>2</sup>, RELATING TO THE BASALT QUARRY SITUATED TO THE NORTH OF SOMOSKÖ, SIGNED AT PRAGUE, FEBRUARY 9, 1924.

*French official text communicated by the Director of the Royal Hungarian Secretariat accredited to the League of Nations. The registration of this Protocol took place November 24, 1924.*

Being desirous of giving practical effect to the stipulation contained in the resolution adopted by the Council of the League of Nations on April 23, 1923, which reads as follows :

“ THE CZECHOSLOVAK GOVERNMENT, on its side, shall take all measures to facilitate the working of the basalt quarry situated to the north of the village of Somoskö and the transit of the products of that quarry on their way to the Somosujfalu station ”,

Being guided by the intentions expressed when the decision as to the tracing of the frontier in the Somoskö area was taken,

And animated by the desire to co-operate in all matters concerning the economic needs of their respective countries ;

The GOVERNMENTS OF THE KINGDOM OF HUNGARY and OF THE CZECHOSLOVAK REPUBLIC have decided to sign a Protocol regulating the regime to be applied to the quarry at Somoskö.

The delegates of the two States duly authorised for this purpose, namely :

FOR THE KINGDOM OF HUNGARY :

M. Emil WALTER, Counsellor in the Royal Hungarian Ministry for Foreign Affairs,<sup>3</sup> and

FOR THE CZECHOSLOVAK REPUBLIC :

M. Hugo VAVREČKA, Envoy Extraordinary and Minister Plenipotentiary of the Czechoslovak Republic at Budapest,

have therefore agreed upon the following provisions.

*Article 1.*

The “ basalt quarry situated to the north of the village of Somoskö ”, known hereinafter simply as “ the quarry ”, shall be understood as meaning the sites where basalt is at present extracted.

These sites shall be marked in accordance with the present position of the quarrying works on a map <sup>3</sup> which will be annexed to the present Protocol.

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations.

<sup>1</sup> Translated by the Secretariat of the League of Nations.

<sup>2</sup> The exchange of ratifications took place at Budapest, October 15, 1924. According to Article 22, this Protocol has been communicated to the Council of the League of Nations.

<sup>3</sup> This map has been deposited with the Secretariat of the League of Nations.

*Article 2.*

As soon as the owner of the quarry shall have complied with the requirements of the Czechoslovak laws and ordinances relating to the establishment of such undertakings, the Czechoslovak authorities shall permit him both to extend the present quarrying sites and also to open up new quarrying sites in a southerly direction from the existing quarry on these lands owned by him which contain basalt.

The facilities granted under the present Protocol shall apply also to the latter quarrying sites.

*Article 3.*

The provisions laid down in the present Protocol shall not apply to any concessions which may subsequently be acquired by the owner of the quarry for quarrying basalt on the territory of the Czechoslovak State on other sites than these mentioned in Articles 1 and 2 ; quarries opened by virtue of such concessions shall be subject to the usual treatment accorded to similar undertakings in the Czechoslovak Republic belonging to Hungarian subjects.

*Article 4.*

Without prejudice to the provisions of the present Protocol, the area described in Articles 1 and 2, the undertaking working the quarry, the working of the quarry, and the persons employed there, shall be subject in all respects to the laws and ordinances which are or may subsequently be in force in the Czechoslovak Republic.

More especially, the Czechoslovak laws regarding the protection of workers and health shall be applicable to the management of the undertaking and the staff employed in it.

The respective Governments will consult one another with a view to finding a practical solution for questions relating to the compulsory insurance of quarry workers who inhabit Hungarian territory and are Hungarian nationals.

*Article 5.*

In so far as the owner of the quarry is a Hungarian subject and the output of the quarry is consigned to Hungary, the undertaking referred to in Articles 1 and 2 shall enjoy equal treatment in all respects to that accorded to undertakings belonging to Czechoslovak nationals ; it shall not be subject to any measure, fee, tax, direct or indirect duties other than those which are or may be applicable to similar undertakings belonging to the Czechoslovak nationals.

*Article 6.*

The area in which the quarrying sites referred to in Article 1 are situated and the lands referred to in Article 2 shall not be subject to any measures taken either for the purpose of agrarian reform or in accordance with the laws on expropriation, if such measures are likely to hinder or prevent the quarrying of basalt and its transport to Hungary.

The owner shall not be entitled to claim the privilege granted in the provisions of the foregoing paragraph in respect of lands belonging to him other than the sites described in Articles 1 and 2.

*Article 7.*

The special regulations laid down in all similar cases for the purpose of ensuring the regular exercise of frontier control shall be applicable to the quarrying sites immediately adjacent to the frontier *i.e.* within a few dozen metres.

*Article 8.*

As soon as the owner of the quarry shall have complied with the conditions prescribed by the Czechoslovak laws and ordinances, the Czechoslovak authorities shall grant him the necessary permits for the construction of means of transport for the carriage of basalt to Hungary.

These means of transport must be constructed in such a manner as to render Customs control practicable.

Should special means of transport be constructed requiring the establishment of additional services and equipment for the purposes of Customs control, the owner shall be required to bear the cost of such services and equipment.

Inasmuch as Customs control must be exercised at the frontier, the roads and communications intended to serve the quarry shall only cross the frontier at one point, in order to enable Customs control to be exercised by a single Customs-house.

*Article 9.*

Vehicles and persons going to and fro between the quarry and Hungary shall use only the existing road leading from the quarry to the Commune of Somoskö.

Any change in the line followed by this road, more especially at the point where the road crosses the frontier, shall require special authorisation from the Czechoslovak authorities.

*Article 10.*

The Customs clearance at the frontier of material connected with the working of the quarry shall, in all cases, be effected by the Czechoslovak Customs-house situated near the point of intersection of the frontier line and of the road mentioned in Article 9.

*Article 11.*

The owner may dispose of the output of the quarry without restrictions.

Basalt quarried in the quarrying sites described in Articles 1 and 2, and consigned to Hungary, may be exported freely and shall be exempt from all export taxes and duties, with the exception of the usual statistical duty.

The facilities granted under the present Protocol cannot be claimed in respect of quarry products consigned to third States.

*Article 12.*

With a view to facilitating the working of the quarry, the undertaking shall be exempt from the turnover tax (*daň z obrátu*) in respect of the transport and export of basalt to Hungary for the transport and import of material sent from Hungary for the purpose of working the quarry, provided that the other conditions laid down in the present Protocol are observed.

*Article 13.*

Any goods imported from foreign countries for the use of the undertaking shall be subject to the laws, ordinances and prescriptions in force in the Czechoslovak Republic.

The following facilities shall be granted within the limits of these laws, ordinances and prescriptions, on condition that the owner loyally observes them :

- (a) With a view to facilitating the working of the quarry, the Czechoslovak Customs Administration shall, upon application by the owner, grant him the right to register

without import licence or deposit of Customs security, for a maximum period of six months, the machinery imported by him from Hungary to be temporarily used to replace machinery in bad condition ; this period cannot be extended.

- (b) The Czechoslovak Customs Administration may also grant the facilities mentioned in paragraph (a) in respect of any other machinery which may be required for the working of the quarry for a period not exceeding three months.
- (c) In order to facilitate the transport of basalt to Hungary by the particular road, — in respect of which the conditions laid down in Articles 8 and 9 must have been complied with — the Czechoslovak Customs Administration shall, upon application by the owner of the quarry, permit the entry, without import licence or payment of Customs security, of motor lorries, vehicles and draught animals for a period of one year, provided that they are genuinely required for the purposes of the quarry, and that they are accompanied by a special certificate from the owner, verified by the Czechoslovak authorities.

This permit shall be extended from year to year upon application.

The circulation of the vehicles shall be subject to the usual Czechoslovak Customs, veterinary and local police regulations.

- (d) Should authorisation have been granted, in conformity with Article 8, to construct other means of transport than the road mentioned in Article 9, the Czechoslovak Customs authorities shall, upon application by the owner of the quarry, permit the necessary vehicles to cross the frontier, after registration, for the period of one year, without import licence or the payment of Customs securities. This period shall be extended from year to year upon application by the owner.

Should the export of basalt to Hungarian territory be altogether suspended, or should these means of transport cease to be used, the owner shall be required either to submit the vehicles for Customs examination in accordance with the provisions regarding import licences or to re-export them to Hungary.

#### *Article 14.*

Basalt may be exported on all days except Sundays and holidays.

It may be regularly cleared through the Customs during official hours ; if cleared outside these hours, the cost involved shall be refunded in accordance with the rates in force.

#### *Article 15.*

The owner of the quarry shall be required, when engaging workers and employees, to give a preference, irrespective of their nationality, to the inhabitants of the neighbouring villages, the population of which is customarily employed in the quarry.

#### *Article 16.*

Hungarian nationals inhabiting the neighbouring villages in the frontier zone and employed in the quarry shall be granted permits to cross the frontier on the prescribed roads and to reside temporarily on Czechoslovak territory in accordance with the general provisions of the Convention for facilitating local frontier traffic under Annex E of the Treaty of Commerce concluded between the Czechoslovak Republic and the Kingdom of Hungary and signed at Budapest on November 22, 1922. The visa issued by the Czechoslovak authorities, which will include a note showing that the holder is employed in the quarry, shall be valid for six months. Persons holding these visas shall be treated in matters of Customs duties in accordance with the provisions laid down in that Convention.

The Czechoslovak authorities shall readily grant permanent residence permits in conformity with the laws and prescriptions in force to Hungarian nationals employed in the quarry.

*Article 17.*

The wages of workmen employed in the quarry shall be paid in Czechoslovak currency. Nevertheless, non-Czechoslovak nationals, who are not permanently domiciled in Czechoslovak territory, may be paid in Hungarian currency.

In regard to salaries paid in Hungarian currency, unless a fixed rate of exchange is established by agreement between the two Governments, an average rate shall be established on the basis of the value of Hungarian currency on the Prague Exchange on the last day of each month, in respect of all compulsory payments deducted from the wages of the workers, when such wages are used as a basis for calculation.

*Article 18.*

The Hungarian authorities shall assist the Czechoslovak authorities in preventing and prosecuting any infringements of the law which may be committed as a result of the special facilities granted to the undertaking and its staff.

*Article 19.*

The owner shall be required to appoint a person, whose office shall be in Czechoslovak territory, as responsible manager for the working of the quarry.

*Article 20.*

Should any hostile acts or other acts liable to endanger the safety of the Czechoslovak Republic, and for which the management of the quarry is responsible, be committed in the quarry area, the Czechoslovak Republic shall be entitled to withdraw the facilities granted under the present Protocol.

*Article 21.*

The regulations laid down in the foregoing articles shall expire 25 years after the coming into force of the present Protocol, unless the respective Governments concerned agree to extend the present Protocol or come to any other arrangement.

*Article 22.*

The present Protocol shall be communicated to the Council of the League of Nations.

*Article 23.*

The present Protocol shall be ratified and the instruments of ratification exchanged at Budapest.

The provisions of the present Protocol shall provisionally come into force on the day of transfer of the line of demarcation between points 446 and 485 to the new frontier and shall finally come into force eight days after the exchange of the instruments of ratification.

Done at Prague, February 9, one thousand nine hundred and twenty-four, in triplicate.  
One copy to be deposited with the Secretariat of the League of Nations.

(L. S.) WALTER .

(L. S.) VAVREČKA.