

N° 1018.

ALLEMAGNE
ET TCHÉCOSLOVAQUIE

Accord en vue de faciliter le trafic frontière entre le territoire du Reich Allemand et le territoire transféré à la République Tchécoslovaque en vertu du Traité de Versailles, signé à Troppau, le 4 mars 1924.

GERMANY
AND CZECHOSLOVAKIA

Agreement with a view to establishing Frontier Traffic Facilities between the Territory of the German Reich and the Territory transferred to the Czechoslovak Republic in virtue of the Treaty of Versailles, signed at Troppau, March 4, 1924.

¹ TRANSLATION.

No. 1018. — AGREEMENT BETWEEN GERMANY AND CZECHOSLOVAKIA WITH A VIEW TO ESTABLISHING FRONTIER TRAFFIC FACILITIES BETWEEN THE TERRITORY OF THE GERMAN REICH AND THE TERRITORY TRANSFERRED TO THE CZECHOSLOVAK REPUBLIC IN VIRTUE OF THE TREATY OF VERSAILLES, SIGNED AT TROPPEAU, MARCH 4, 1924.

THE GERMAN REICH, of the one part, and THE CZECHOSLOVAK REPUBLIC, of the other part, being desirous of facilitating as far as possible frontier traffic between the territory of the German Reich and that transferred to the Czechoslovak Republic in virtue of the Treaty of Versailles, have appointed as their Plenipotentiaries, for the purpose of concluding an agreement to this effect:

THE GERMAN REICH :

Dr. Paul ECKARDT, Minister Plenipotentiary ;

THE CZECHOSLOVAK REPUBLIC :

M. Václav ROUBÍK, Engineer, Chief of Section ;

Who, having exchanged their full powers, found in good and due form, have agreed as follows :

SECTION I.

ROADS WITH CUSTOMS POSTS, AND OTHER POINTS AT WHICH THE FRONTIER MAY BE CROSSED.

Article I.

(1) In addition to the crossing of the frontier by the railway between Kranowitz and Kuchelna, the two Contracting Parties shall, until further notice, permit the frontier to be crossed at points provided with permanent Customs and passport control situated on the following roads which traverse the frontier between the territory of the German Reich and that transferred to the Czechoslovak Republic in virtue of the Treaty of Versailles :

1. Annaberg-Schillersdorf. (Annaberk-Šileřovice).
2. Ruderswald-Haatsch. (Rudyřvald-Hát).
3. Ruderswald-Rakowiec-Schillersdorf. (Rudyřvald-Rakowiec-Šileřovice).
4. Dedowitschhof-Haatsch. Dedowitschhof-Hát).
5. Owschütz-Sandau. (Ovsiřtě-Piřt).
6. Kranowitz-Kuchelna. Křenovice-Chuchelná).
7. Schammerwitz-Zauditz. (řamařovice-Sudice).
8. Katscher-Thröm. Ketř-Třeboň).
9. Steuberwitz-Zauditz. Stibořice-Sudice).
10. Steuberwitz-Schreibersdorf. Stibořice-Nebořtice).

¹ Translated by the Secretariat of the League of Nations.

In so far as they do not already exist, the necessary installations shall be provided as soon as possible. The above list may be supplemented or modified by agreement between the German provincial Customs authorities and the Czechoslovak provincial financial authorities.

(2) In so far as the Customs roads mentioned above are also frontier roads, that is to say, roads the middle of which constitutes the frontier, goods transported along them shall be regarded as being in the territory of the consigning State.

Article 2.

By agreement between the authorities referred to in Article 1, paragraph 1, the frontier may also be crossed at points not provided with permanent Customs and passport control, subject to the observance of existing regulations regarding frontier traffic other than on Customs roads.

SECTION II.

FRONTIER FACILITIES.

Article 3.

The establishment of general passport facilities in frontier traffic between the territories mentioned in Article 1 shall be subject to agreement between the higher administrative authorities of the two Parties.

Article 4.

Subject to the provisions of Articles 5, 7 and 11, the inhabitants of Rössnitz, Rohow, Schreibersdorf, Steuberwitz and Zauditz may use for purposes of transit the Schammerwitz-Zauditz-Steuberwitz-Schreibersdorf high road without restriction and free from any kind of duty or charge. The same applies to the inhabitants of Schreibersdorf, Steuberwitz and Thröm as regards the Katscher-Thröm-Zauditz-Steuberwitz-Schreibersdorf high road and to the inhabitants of Haatsch and Schillersdorf as regards the road from Rakowiec to Haatsch via Ruderswald, between the boundary stones Nos. 11 and 15.

Article 5.

(1) The transit traffic referred to in Article 4 may be made on foot, on horseback, by bicycle and in all vehicles other than motor vehicles. It shall be subject to Customs control by both Parties. Customs examination shall take place at the Customs offices during office hours. It shall be free of duty or charge, but both Contracting Parties reserve the right, after the expiry of ten years from the coming into force of the present Agreement, to levy any statistical duties that may exist at the time.

(2) The authorities mentioned in paragraph 1 of Article 1 shall make the necessary arrangements to determine the manner in which Customs control shall be exercised and to ensure uniformity of office hours.

(3) In order to facilitate attendance at the markets of Katscher, Ratibor and Troppau, the authorities referred to in paragraph 1 of Article 1 shall issue executive regulations permitting

transit traffic at certain times even outside office hours, but only by day and so far as possible at a fixed hour, and in the form of a Party accompanied free of charge by Customs officials.

Article 6.

(1) The inhabitants of Steuberwitz may visit the market at Katscher and the inhabitants of Thröm the market of Troppau by means of the Steuberwitz-Thröm road. Detailed regulations shall be made by agreement between the authorities referred to in paragraph 1 of Article 1 on the basis of the provisions contained in Article 5.

(2) Should the road between Steuberwitz and Thröm be declared a Customs road in accordance with paragraph 1 of Article 1, traffic facilities along it shall be granted to the inhabitants of Schreibersdorf, Steuberwitz and Thröm, as provided in Article 4.

Article 7.

Persons living in the territory of one of the Contracting Parties who make use of the advantages granted to them in Articles 4-6, must at any time on the request of the frontier control officials of either Party be able to prove their identity by producing a valid passport or *laisser-passer* endorsed by the authorities of the other Party, and must submit to Customs supervision.

Article 8.

The road situated on Czechoslovak territory between the boundary stones Nos. 33 and 36 south-west of Owschütz and the road situated on German territory between the boundary stones Nos. 155 and 159 south-east of Rössnitz Wood may be used respectively by the German and Czechoslovak owners of adjacent land and by the members of their families and their workmen, on foot or on horseback, by bicycle or in vehicles, subject to the observance of existing regulations, concerning frontier traffic other than on Customs roads.

Article 9.

Workmen who regularly proceed to their work from one of the territories referred to in Article 1 to the other territory, or who proceed through the latter to the territory of a third State, shall be granted special passport facilities for crossing the frontier, the details whereof shall be arranged between the higher administrative authorities of the two Parties.

Article 10.

(1) The administration of Kuchelna Forest may export free of duty from the territory of the Czechoslovak Republic even by other than Customs roads, the normal yield of timber of that part situated to the south-west of Owschütz of the forest which was separated from Owschütz by the delimiting of the frontier and transferred to the Czechoslovak Republic. This provision shall not affect the collection of statistical duties. The maximum amount of timber which may be exported annually shall be fixed by the provincial forestry authorities of Troppau in accordance with information supplied by the above-mentioned administration.

(2) The quantities exported must be declared to the Customs office at Haatsch. The necessary measures of control shall be taken by the authorities referred to in paragraph 1 of Article 1.

Article 11.

(1) The provisions contained in the present Agreement shall not apply to war material or to articles which form a State monopoly.

(2) Traffic restrictions and import, export and transit prohibitions imposed, in virtue of existing laws or international conventions, for reasons of public safety, for the protection of the health of human beings, animals or plants, or for other considerations relating to public order shall not be affected by the present Agreement.

(3) Any measures which either Party may intend to take in virtue of paragraph 2 must immediately be notified to the higher administrative authorities and to the authorities referred to in paragraph 1 of Article 1 of the other Party.

SECTION III.

GENERAL AND FINAL CLAUSES.

Article 12.

If necessary, the executive regulations required shall be decreed by the two Contracting Parties in agreement. The same applies to any orders or measures which may be needed in order to prevent the advantages agreed upon giving rise to any abuse.

Article 13.

(1) At the time of the signing of the present Agreement the German provincial Customs authority referred to in paragraph 1 of Article 1 is the department for Customs and excise duties of the Upper Silesian Finance Office at Neisse; the Czechoslovak provincial financial authority is the Financial Office at Troppau. The higher administrative authorities referred to in Articles 3, 9 and 11 are the Regierungspräsident at Oppeln and the President of the Provincial Political Administration at Troppau.

(2) The Contracting Parties shall notify to one another any changes made in the authorities mentioned above.

Article 14.

(1) The present Agreement, of which the German and Czechoslovak texts are both authentic, shall be ratified and the instruments of ratification shall be exchanged in Berlin as soon as possible.

(2) The Agreement shall enter into force one month after the exchange of the instruments of ratification.

In faith whereof the Plenipotentiaries have signed the present Agreement and have thereto affixed their seals.

Done at Troppau (Opava), March 4, 1924.

(Signed) DR. PAUL ECKARDT.

(Signed) Ing. VÁCLAV ROUBÍK.