

N° 1882.

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

Convention pour l'usage des gares  
de frontière, des gares communes  
et des sections de raccordement,  
avec protocole final. Signés à  
Belgrade, le 12 août 1924.

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

Convention concerning the Use of  
Frontier Stations, Common Sta-  
tions and Connecting Lines, with  
Final Protocol. Signed at Bel-  
grade, August 12, 1924.

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

No. 1882. — CONVENTION<sup>2</sup> BETWEEN THE KINGDOM OF ITALY AND THE KINGDOM OF THE SERBS, CROATS AND SLOVENES CONCERNING THE USE OF FRONTIER STATIONS, COMMON STATIONS AND CONNECTING LINES. SIGNED AT BELGRADE, AUGUST 12, 1924.

*French official text communicated by the Italian Minister for Foreign Affairs and the Permanent Delegate of the Kingdom of the Serbs, Croats and Slovenes accredited to the League of Nations. The registration of this Convention took place December 19, 1928.*

HIS MAJESTY THE KING OF ITALY and HIS MAJESTY THE KING OF THE SERBS, CROATS AND SLOVENES, desiring to take all the necessary steps to encourage the development of economic relations between their countries, have resolved to conclude a Convention with a view to removing as far as possible, all impediments to their reciprocal traffic due to operations carried out at the common frontier, and have for this purpose appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF ITALY :

His Excellency General Alessandro BODRERO, Grand Cross of the Order of the Crown of Italy, Officer of the Order of Saints Maurice and Lazarus, Grand Cross of the Order of St. Sava and Commander of the White Eagle with Swords, His Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of the Serbs, Croats and Slovenes;

M. Lodovico LUCIOLLI, Grand Cross of the Orders of Saints Maurice and Lazarus and of the Crown of Italy, Grand Cross of the Order of St. Sava, Councillor of State ; and

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

His Excellency Dr Anton SUSNIK, Minister of Communications ;

M. Sava KOUKITCH, Grand Officer of the Order of St. Sava and Grand Officer of the Order of the Crown of Italy, former Director-General of Customs ;

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

*Article 1.*

As regards the frontier stations already in existence or to be established, and also as regards the services relating thereto and the operation of connecting lines, the two High Contracting Parties have agreed as follows :

(a) On the line joining Tarvisio and Jesenice there shall be established, as close as possible to the frontier, two separate stations, one on the territory of the Kingdom of Italy

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

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

<sup>2</sup> The exchange of ratifications took place at Rome, November 14, 1928.

at Fusine-Laghi, the other on the territory of the Kingdom of the Serbs, Croats and Slovenes at Kranjska-Gora, and the international service shall at both these stations be operated on a footing of complete reciprocity.

The Customs and Public Security services and all other services connected with public order, in particular the medical and veterinary police services, shall be carried out separately, viz., for Italy at Fusine-Laghi and for the Kingdom of the Serbs, Croats and Slovenes at Kranjska-Gora.

(b) On the line joining Gorizia and Jesenice a common station shall be created at Bistrica Bohinjsko Jezero in order to centralise the exchange of international traffic at that point.

A mixed Italian and Serb-Croat-Slovene Customs service shall be established at the above-mentioned common station for the accomplishment of operations relating to the arrival, departure and transit of passengers, baggage, goods and postal parcels of the two High Contracting Parties. At the same common station at Bistrica Bohinjsko Jezero there shall also be established the other public services mentioned in the preceding paragraph.

(c) On the line joining Postumia and Ljubljana a common station shall be created at Rakek. At this station the exchange of international traffic and all the mixed Italian and Serb-Croat-Slovene services shall be established and carried out in the same way as under (b).

#### Article 2.

The railway line between the frontier and the station at Fusine-Laghi shall be operated by the railway administration of the Kingdom of the Serbs, Croats and Slovenes.

The engine-drivers, stokers and train staff of the latter administration shall run the trains as far as the station at Fusine-Laghi.

The railway line between the frontier and the common stations at Rakek and Bistrica Bohinjsko Jezero shall be operated by the Italian railway administration. The engine-drivers, stokers and train staff of the Italian administration shall run the trains as far as these common stations.

The names of the persons to be employed in these services shall be communicated to the administrations concerned eight days in advance.

These administrations may take exception on reasonable grounds to any of these persons.

Such objection shall be taken into consideration.

At the common station serving the railways suitable accommodation shall be provided for staff not proceeding further.

Each of the two administrations shall be entitled to the receipts from its own railways as far as the frontier of the respective State, which shall fix the transport rates and other charges in connection therewith and the amount to be paid for costs of haulage.

The other conditions for the operation of the said lines shall be fixed in special conventions to be concluded between the railway administrations of the two States. These conventions shall require the approval of the two Governments.

#### Article 3.

The exchange of the train service on the line joining Tarvisio and Jesenice shall be carried out at Fusine-Laghi.

The exchange of the commercial and transit services shall be carried out at the station of Kranjska-Gora.

The exchange of the railway service on the line joining Gorizia and Jesenice shall be carried out at the common station at Bistrica-Bohinjsko-Jezero, and that on the line joining Postumia and Ljubljana at the common station at Rakek.

*Article 4.*

The State in whose territory are situated the common stations mentioned in Article 1 shall agree to the other State establishing at those stations railway agencies, and shall place at the disposal of that State's administration everything necessary for the traffic office at the junctions.

*Article 5.*

The construction, extension or adaptation of the common stations shall be decided upon by previous agreement between the two railway administrations.

The plans for the above-mentioned works shall be approved by both Governments. The execution thereof shall be in the hands of the administrative authorities of the State in which the station is situated, and that State shall bear the cost.

Ordinary and extraordinary repairs to the tracks, machinery and other railway equipment, and also repairs to buildings allocated to the common services shall be carried out by the railway administration of the State in which the common station is situated.

Should the railway administration of a State which is operating the line between the frontier and the common station in the territory of the other State, have adopted electric traction as far as the frontier over the line situated in its territory, the other State shall allow all the necessary work to be done to adopt the same system of traction on that line between the frontier and the common station. A special agreement shall, if necessary, be concluded between the administrations with regard to the cost of such alterations.

*Article 6.*

The railway administration of the State in which the common station is situated shall also be required to construct and keep in repair the buildings in that station which are needed for the offices exclusively used by the administrations of the other State, for the accommodation of employees, the installation of the fiscal service and of police officials, and for all public services, in particular the medical, veterinary, and postal services. The conditions and the limits of these obligations, the fittings and furnishing of offices, the question of repairs, the lighting, heating, and cleaning of the premises in question and, if necessary, the provision of accommodation for employees, shall be arranged for in agreements to be concluded between the administrations of the two States.

The State in whose territory the combined offices are situated shall do what is necessary in order that obligations incurred by the railway administration on the basis of the preceding Article are duly fulfilled.

*Article 7.*

The railway administration of the State in whose territory the common station is situated shall be entitled to demand of the railway administration of the other State the payment of an annual rent corresponding to three per cent per annum of the share in the whole cost of construction attributable to that part of the station set aside for the common service, and an annual rent corresponding to six per cent per annum of the share in the total cost of construction attributable to that part of the station set aside for the exclusive service of the railway or other administration of the other State, subject to the stipulations of special agreements.

*Article 8.*

In the case of the services to be operated jointly the detailed regulations and the allocation of the expenditure involved shall be determined by agreement between the railway administrations of the two States.

The above-mentioned expenditure shall be entered in the joint account plus ten per cent for general administrative costs.

Expenditure relating to the upkeep of that part of the station which is used in common shall be entered in the same joint account.

Expenditure relating to the upkeep of that part of the station which is used exclusively by the railway or any other administration of the other State shall be debited to the said administrations pending repayment of the expenditure plus ten per cent.

Receipts from the lease or hire of part of the common station, like other indirect receipts from the common service, shall be deducted from common expenditure.

*Article 9.*

The selection of premises for Customs offices at the common stations and for the mixed services of the two Customs and of the medical and veterinary police shall be the subject of negotiations to be held in accordance with the foregoing provisions by the railway administrations, which in their turn must act in agreement with the Customs administrations of the two States.

*Article 10.*

The Government of the State in whose territory the common station is situated has full authority in regard to all the political and judicial affairs both within the area of the common station and on the railway between that station and the frontier.

*Article 11.*

The administration of the other State shall have the right to choose the officials and the whole of the service staff required at the joint station for the exclusive service of its own administration, with the reservation mentioned in Article 2.

*Article 12.*

The Governments of the High Contracting Parties undertake to prevent persons who have been sentenced for smuggling or other serious infringements of the fiscal laws from being appointed either as employees or other workers under the railway administration, at a station situated in the territory of the other State.

At the common station Customs employees and agents whom the Customs administration of the State in which the station is situated has reasons to exclude, may not carry out any operations in connection with incoming, outgoing or transit traffic.

Should any official or agent of one of the two States who, by reason of his service, has been authorised to reside in or enter the other State, be convicted of any civil or political crime or offence, or even merely of contravening or infringing the fiscal laws, the Government of the State by which he is employed or whose agent he is shall be obliged to replace him immediately.

*Article 13.*

The foregoing provisions shall not in any way invalidate the provisions in force in each country with respect to the penalties imposed for fraud, smuggling, Customs infringements, or the provisions concerning import, export or transit prohibitions and restrictions.

*Article 14.*

At the common stations situated in the territory of one of the States, furniture, office articles, registers, and all other material required by the offices of the railway, Customs and medical and veterinary police services of the other State, and enumerated in a special list, shall be imported free of all import duties in accordance with regulations to be laid down by the two Governments.

Conveyance across the frontier free of duty shall be authorised for spare parts and materials required for the repair of rolling stock arriving from across the frontier and enumerated in a special list.

*Article 15.*

The Government of the State in whose territory the common station is situated shall impose upon the railway administration of the other State no stamp duties or other fiscal charges in respect of registers, passengers' tickets or other documents relating to the railway services, in so far as concerns the administration at the common station and on the lines between the station and the frontier.

Civils deeds, contracts and other judicial instruments drawn up by the said railway administration shall not, however, be exempt from such duties and charges. The said deeds, contracts, and documents shall therefore be subject to the stamp duties and other charges prescribed by the laws in force.

*Article 16.*

The offices of the neighbouring State in the territory of the State in which the common station is situated shall bear the national arms and the superscriptions attached thereto.

*Article 17.*

All the operations involved in the movement of trains shall be carried out by the managing staff of the railway administration of the State in whose territory the common station is situated, in accordance with the regulations of the railway administrations of the two States.

Trains shall be made up according to the arrangements made by the administration of the lines over which the trains are to run and according to the special orders given by each of the two administrations.

The signals placed on the trains shall be those in use by each of the two administrations.

The railway regulations of the State in whose territory the common station is situated, shall be followed as regards traffic and shunting within the station.

The time-tables established for train connections must be adhered to by the railway administration in such a manner that passengers and goods may not be kept at the frontier station longer than the necessities of the railway services and the completion of the Customs and police formalities require.

*Article 18.*

Responsibility for accidents to persons and damage to goods and material arising out of railway accidents occurring in the course of the operation of common services shall be borne by the administration on behalf of which the operation is carried out.

Should it prove impossible, after an enquiry in which both sides are heard, to determine with certainty which administration is responsible, the consequences of the accident shall be borne in equal proportions by the two administrations.

The responsibility for accidents arising out of the operation of services which are not joint services shall be borne by the administration by or on behalf of which the service in question was carried out.

*Article 19.*

The Customs examination of goods shall be carried out, first by the officials of the State from which the goods come, and subsequently by those of the State to which they are going or to which they are consigned ; they shall be handed over according to such procedure as may be established. In order, however, to expedite Customs operations, the examination shall, if possible, be carried out by the officials of the two States simultaneously. Should this prove impossible, the Customs office which first completes its work shall be entitled to keep watch over the goods which it has already examined until the other Customs office has completed its operations.

The examination of passengers' baggage and Customs operations in connection therewith, if not carried out in the course of the journey either at an earlier or at a later stage, shall be effected simultaneously by the Customs offices of the two States in joint rooms set aside for this purpose and immediately after the arrival of trains, in order that passengers and their baggage may continue the journey by the same train.

*Article 20.*

The Customs and police supervision of the lines between the common station and the frontier shall be within the competence of the authorities of the State in whose territory the station is situated.

The Customs officials and fiscal guards of the said State shall for this purpose be authorised :

- (a) To enter the premises placed at the disposal of the authorities of the other State for any official inspections which they may deem necessary ;
- (b) To check the list of goods in warehouses ;
- (c) To obtain permission to inspect the registers and documents connected therewith.

They shall also be obliged to assist railway officials in the carrying out of the joint service.

It shall be within the province of the Customs administration of each of the High Contracting Parties to inspect goods and to carry out other formalities when there is reason to suspect attempts at fraud or smuggling.

When inspections have to be carried out on the premises of the common station placed at the disposal of the other State, they shall always take place in the presence of a competent and responsible employee of that State.

*Article 21.*

Officials of one State employed in the territory of the other shall be authorised to perform their duties according to the practices and regulations in force in their own State.

Accordingly, they may wear the uniform and carry the arms prescribed by their regulations within the area of the common station, and in cases provided for by the law of their own country they may seize goods which contravene the regulations and may take the necessary steps to place under arrest persons who may be found guilty of infringements, in order that their temporary imprisonment may be decided upon by the authorities of the territory in which the common station is situated, these authorities alone having the power to take measures which might restrict the individual liberty of persons in their territory.

*Article 22.*

At the common station the officials of the two States shall apply the laws of their own State in Customs matters and in cases of infringements of the laws.

The lines between the common station and the frontier must be regarded for all Customs purposes, and in so far as concerns infringements, as a continuation of the common station.

*Article 23.*

In the case of illegalities in the loading, unloading or transport of goods, or in the case of insufficient or wrong declarations, the State to which the goods are consigned or from which they come shall subject the offenders to the penalties which would be imposed if the station or railway line were situated in its own territory.

For this purpose the Customs officials of the neighbouring State shall have the right to charge offenders before the Courts of their own country, which shall try the case in accordance with the laws in force in that country.

No legal proceedings shall be taken against railway officials until the head of the department concerned has been consulted.

The said officials may also come to agreements in regard to offences, confiscate articles constituting the subject of a contravention, dispose if necessary of the goods confiscated either in virtue of an agreement with the offender whereby he surrenders his goods to the Customs or in virtue of a final sentence of confiscation in favour of the Customs.

The said officials may also hold the goods and baggage as a guarantee for the payment of fines, subject to their release against security.

*Article 24.*

The Customs officials of the joint offices shall be authorised to assist each other in Customs operations carried out by agents of the office of the other State and in the loading of goods on outgoing wagons.

The higher Customs employees of one of the States may examine all the registers of the Customs offices of the other State and may make copies or extracts.

The offices of the two High Contracting Parties shall communicate to each other as rapidly as possible any observations on anything which may have prejudiced or might prejudice the finances of one of the two States or which might infringe or threaten to infringe import, export or transit prohibitions.

*Article 25.*

Customs officials of the two States attached to the common station shall, together and reciprocally, do what is necessary to prevent or discover any attempt at fraud or smuggling within the station and its annexes. They shall communicate to each other all information that may affect the service.

Their relations shall be maintained upon a basis of perfect equality and loyalty and, as regards direct communications, their service relations shall be the same as between officials of an equal standing in the same State.



*Article 26.*

The provisions of the Convention<sup>1</sup> for the suppression of smuggling and the punishment of offences against the fiscal laws concluded between the two States on October 23, 1922, shall also apply to the Customs offices established at the common stations.

*Article 27.*

The authorities of the State in whose territory the station is situated shall grant to the officials of the other State the same protection and assistance in the discharge of their service as they grant to employees of their own State.

Officials belonging to the offices of the neighbouring State who are employed in the territory in which the common station is situated and members of their families living with the said officials shall enjoy the same protection by the State in which the said station is situated as that State grants to its own subjects. In the event of transfer, these officials and their families shall enjoy exemption from Customs duties in respect of their furniture and effects in so far as these are for their personal use, and in respect of the uniforms and arms used in the exercise of their functions.

No passport formalities shall be required of officials of one State when entering the other State for service at the common stations. Higher officials performing temporary duties in the offices of their own State at the said stations shall be similarly exempt. The above-mentioned officials need only prove their status to the satisfaction of the competent authorities of the State they are entering by means of a service warrant. The form of this service warrant shall be established by agreement between the respective administrations.

Members of the families of these officials of all categories shall also be exempt from passport formalities, but they shall be subject to the frontier traffic regulations.

*Article 28.*

Officials of the neighbouring State employed in the territory of the State in which the common station is situated shall, as regards service and discipline, be exclusively subject to the authority of their own State. They shall, however, be subject to the penal laws and police regulations of the State in which they are temporarily residing, and for this purpose they shall be subject to the jurisdiction of that State. They shall be exempt from taxes and personal services in respect of the State where they reside, and they shall not be required to pay taxes on movable property, income or pensions. Further, they shall not be required to serve in the army or in the national militia or to serve as jurors or as members of the councils of autonomous districts.

Nevertheless, the said officials must, in the same way as subjects of the State in which the common station is situated, be taxed on their immovable property situated in the territory of that State and must also pay Customs duties and other indirect taxes.

*Article 29.*

The State which possesses an office in the territory of the other may delegate higher-grade employees and fiscal control officials to review and inspect the said office.

*Article 30.*

Correspondence addressed to an administration at a common station shall be exempt from all Customs formalities.

<sup>1</sup> Vol. XVIII, page 441, of this Series.

*Article 31.*

The administrations of the various public services accredited by the Government of one of the two States to the common stations situated in the territory of the other State may send and receive Government telegrams relating to the railway service without the intermediary of the State offices, but only in so far as the requirements of the railway telegraph service permit.

Government and private telegrams, in order to be transmitted from one State to the other, must be sent from the station, which is alone empowered to forward them, by means of the Government telegraph, to the office of the other Contracting Party. This provision does not apply to railway service telegrams.

The telegrams referred to in the first paragraph and railway service telegrams shall not be included in the international accounts.

*Article 32.*

The present Convention shall not apply to the common station at Fiume, which is governed by the provisions of the Convention<sup>1</sup> additional to the Fiume Agreement concluded at Rome on January 27, 1924, and by clauses in the special agreements concluded between the High Contracting Parties.

By way of exception, however, the telegraphic service at the main station at Fiume shall be subject to the provisions of the preceding Article.

*Article 33.*

So long as the Common stations mentioned in the first Article of the present Convention are not duly established, the service regulations shall be fixed by agreement between the two railway administrations.

*Article 34.*

The present Convention shall be ratified and the ratifications shall be exchanged at Belgrade as soon as possible. It shall come into force on the exchange of ratifications and shall remain in force for ten years from the same date. If neither of the High Contracting Parties announces its intention to terminate it twelve months before the expiry of the said period, the said Convention shall remain in force until a year from the day on which one or other of the High Contracting Parties denounces it.

Five years after the date of the entry into force of the present Convention, each of the High Contracting Parties may demand that it shall be submitted for revision by agreement.

In faith whereof, the Plenipotentiaries have signed the Convention and affixed their seals thereto.

Done at Belgrade in duplicate on August 12, 1924.

(L. S.) (Signed) BODRERO.

(L. S.) (Signed) SUSNIK.

(L. S.) (Signed) L. LUCIOLLI.

(L. S.) (Signed) S. R. KOUKITCH.

<sup>1</sup> Vol. XXIV, page 31, of this Series.

## FINAL PROTOCOL.

The undersigned Plenipotentiaries of the Kingdom of the Serbs, Croats and Slovenes declare that, in signing on this day the Convention concerning the use of frontier stations, common stations and connecting lines, they do not intend to prejudice the point of view of their Governments with regard to the final tracing of the frontier line between the Kingdom of the Serbs, Croats and Slovenes and Italy.

Done at Belgrade in duplicate on August 12, 1924.

*(Signed)* SUSNIK.

*(Signed)* S. R. KOUKITCH.