

N° 2223.

HONGRIE
ET ROYAUME DES SERBES,
CROATES ET SLOVÈNES

Convention réglant certaines questions d'intérêt commun entre les deux pays, comportant les annexes A, B, C, D et E. Signées à Belgrade, le 24 juillet 1926.

HUNGARY AND
KINGDOM OF THE SERBS,
CROATS AND SLOVENES

Convention settling Certain Questions of Common Concern between the two Countries, with Annexes A, B, C, D and E. Signed at Belgrade, July 24, 1926.

¹ TRADUCTION. — TRANSLATION.

No. 2223. — CONVENTION² BETWEEN HUNGARY AND THE KINGDOM OF THE SERBS, CROATS AND SLOVENES, SETTling CERTAIN QUESTIONS OF COMMON CONCERN BETWEEN THE TWO COUNTRIES, SIGNED AT BELGRADE. JULY 24, 1926.

French official text communicated by the Permanent Delegate of the Kingdom of Yugoslavia accredited to the League of Nations, and the Chargé d'Affaires a.i. of the Royal Hungarian Delegation accredited to the League of Nations. The registration of this Convention took place December 16, 1929.

HIS MAJESTY THE KING OF THE SERBS, CROATS AND SLOVENES and HIS SERENE HIGHNESS THE REGENT OF HUNGARY, being desirous of settling certain questions of common concern, have resolved to conclude special Conventions in this sense and have for this purpose appointed as their Plenipotentiaries :

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

M. Momtchilo NINTCHITCH, Minister for Foreign Affairs ; and

HIS SERENE HIGHNESS THE REGENT OF HUNGARY :

M. André DE HORY, Hungarian Envoy Extraordinary and Minister Plenipotentiary at Belgrade, and

M. Alfred NICKL DE OPPAVÁR, Counsellor of Legation, Director of the Economic Section the Royal Hungarian Ministry of Foreign Affairs ;

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

Article I.

The provisions contained in the Conventions annexed hereto are adopted by the Contracting Parties as regards the relations between the two countries in the matters forming the subject of the said Conventions, as specified hereunder :

Annex A. — Convention regarding the regulation of communications and transit on the railways of the two Kingdoms.

Annex B. — Convention regarding the maintenance of the iron bridges connecting the railway lines of the two countries.

Annex C. — Convention regarding the use of Gola station.

¹ Traduit par le Secrétariat de la Société des Nations à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Budapest, November 8, 1929.

Annex D. — Convention regarding the administration and maintenance of the highways, roads and bridges on the frontier.

Annex E. — Convention regarding the protection and upkeep of the boundary-stones, pillars and marks indicating the frontier.

Article 2.

The Conventions enumerated in Article 1 shall be ratified, together or separately, and the ratifications shall be exchanged at Budapest as soon as possible.

In faith whereof the Plenipotentiaries have signed the above mentioned Conventions at the same time as the present Act, to which they have affixed their seals.

Done at Belgrade on July the twenty-fourth, one thousand nine hundred and twenty-six.

(L. S.) (Signed) NINTCHITCH.

(L. S.) (Signed) HORY.

(L. S.) (Signed) NICKL.

ANNEX A.

CONVENTION

REGARDING THE REGULATION OF COMMUNICATIONS AND TRANSIT ON THE RAILWAYS
OF THE TWO KINGDOMS.

Article 1.

As regards reciprocal international passenger and goods traffic, the two Contracting Parties undertake to apply in their relations with one another the provisions of the Convention and Statute on the International Régime of Railways drawn up and signed at Geneva by the Second General Conference on Communications and Transit on December 8, 1923¹, as soon as that Convention and Statute have been ratified by both Parties.

Article 2.

The Contracting Parties agree to take all necessary measures to ensure regular international railway traffic on the systems of the Contracting Parties, and to remove any special hindrances thereto.

Article 3.

Above all, traffic relations shall be ensured as far as possible by favourable connections, the establishment of time-tables to suit the needs of passenger and goods traffic by the through passage

¹ Vol. XLVII, page 55 ; Vol. L, page 180 ; Vol. LIX, page 383 ; Vol. LXIII, page 417 ; Vol. LXIX, page 92 ; Vol. LXXVIII, page 472 ; Vol. LXXXIII, page 403 ; Vol. LXXXVIII, page 336 ; Vol. XCII, page 381 ; and Vol. XCVI, page 191, of this Series.

and transit of passenger coaches and in general, by the ut most consideration for the interests of both Parties in all matters relating to movement and transport.

As regards the supply of rolling-stock, account shall be taken of the needs of internal traffic and of export to the territory of the other Contracting Party, on a footing of perfect equality.

Article 4.

In the event of interruption of traffic, the railway Administrations shall endeavour to restore traffic by all available means, having recourse, if necessary, to the aid and assistance of the railways of the other Contracting Party concerned.

Should traffic have to be suspended or restricted by reason of transport difficulties, the railway Administrations that experience these difficulties shall come to an agreement as soon as possible with the railway Administrations of the other State concerned as to the conditions under which traffic from and to the territory of one of the Contracting Parties may be maintained.

In the event of a restriction of internal traffic, reciprocal traffic between the Contracting Parties and transit traffic from the territory of one of the Contracting Parties shall not be subjected to more severe restrictions than are imposed upon the country's own traffic or upon traffic in transit to the same country of destination.

It is agreed that in the event of a congestion of goods to be transported the country's own consignments shall not be favoured to the detriment of the consignment of the other Contracting Party. In this case, the accumulated consignments of the other Party shall be forwarded with the urgency required by the nature of the consignment (livestock, perishable goods) in a proportion corresponding to the total accumulation of goods to be transported.

Article 5.

The receipt, delivery, transfer and use of wagons on the railways of the Contracting Parties shall be governed by the provisions of the Regulations in force for mutual use in international traffic (International Regulation wagons "R. I. V." and International Regulation Coaches "R. I. C. ").

Article 6.

Fixed material and rolling-stock, movable property of all kinds belonging to a railway of one of the Contracting Parties and contained in such material or stock, as well as cash balances and debts resulting from reciprocal traffic, shall be immune from seizure on the territory of a State other than that to which the owning administration belongs, except in virtue of a judgment of the courts of the latter State.

Article 7.

Persons, baggage, goods, wagons, coaches or other railway transport stock shall be deemed to be in transit across territory under the sovereignty or authority of the Contracting Parties when the passage across such territory is only a portion of a complete journey, beginning and terminating beyond the frontier of the State across whose territory the transit takes place.

Traffic of this nature is termed "traffic in transit".

Article 8.

Subject to the other provisions of the present Convention, the measures taken by the Contracting Parties for regulating and forwarding traffic across territory under their sovereignty or authority shall facilitate free transit by rail. No distinction shall be made which is based on the nationality of persons or on the place of origin, provenance, entry, departure or destination, or on any other circumstances relating to the ownership of goods, coaches, wagons, or other means of railway transport.

Article 9.

Tariffs shall be so fixed as to facilitate through and transit traffic as much as possible. No charges, facilities or restrictions shall depend, directly or indirectly, on the nationality or nature of the railway transport in transit, or on the ownership of the said transport or of any other means of conveyance on which any part of the complete journey has been or is to be accomplished.

Article 10.

Neither of the Contracting Parties shall be bound by the present Convention to afford transit for passengers whose admission into its territories is forbidden, or for goods of a kind of which the importation is prohibited, either on grounds of health or public security or as a precaution against diseases of animals or plants.

Each of the Contracting Parties shall be entitled to take reasonable precautions to ensure that persons, baggage and goods, particularly goods which are the subject of a monopoly, coaches, wagons and other means of railway transport, are really in transit, as well as to ensure that passengers in transit are in a position to complete their journey, and to prevent the safety of the routes and means of communications being endangered. Nevertheless, the exercise of this right must not create obstacles to traffic, or impose on it additional delays.

Nothing in the present Convention shall affect the measures which one of the Contracting Parties is or may feel called upon to take in pursuance of general international conventions to which it is a party, or which may be concluded hereafter, particularly conventions concluded under the auspices of the League of Nations, relating to the transit, export or import of particular kinds of articles, such as opium or other dangerous drugs, arms, or the produce of fisheries, or in pursuance of general conventions intended to prevent any infringement of industrial, literary or artistic property, or relating to false marks, false indications of origin or other methods of unfair competition.

A prohibition decreed in accordance with the provisions of the present Article shall not affect goods in transit which at the moment of the entry into force of the prohibition are already in the territory of the State issuing the prohibition ; such goods shall be carried to their place of destination. Goods consigned for transport or deposited in a warehouse before the expiry of the present Convention shall be carried to their destination, even if the actual transit did not take place until after the expiry of the present Convention.

Article 11.

Measures of a general or particular character which either of the Contracting Parties may be obliged to take in case of an emergency affecting the safety of the State or the vital interests of the country may, in exceptional cases, and for as short a period as possible, involve a deviation from the provisions of the above Articles ; it being understood that the exercise of the right of transit must be allowed to the utmost possible extent.

Article 12.

The present Convention does not prescribe the rights and duties of belligerents and neutrals in time of war. It shall, however, continue in force in time of war so far as such rights and duties permit.

Article 13.

Goods traffic by rail between the Contracting Parties shall be effected subject to the provisions of the International Convention concerning the Transport of Goods by Rail¹ concluded at Berne on October 14, 1890, as amended and completed by the Additional Agreement² of July 16, 1895, and by the Additional Conventions of June 16, 1898³, and September 19, 1906, and to those of the common supplementary conditions and the five uniform Conventions framed by the International Committee on Transports by Rail and also subject to any arrangements, conventions and conditions which may be concluded in the future and to which the Contracting Parties have, or shall have acceded. If a new international Convention should replace the Berne Convention at present in force, and if the Contracting Parties accede thereto, this new Convention shall be put into operation by the Contracting Parties in the place of the said Berne Convention.

The Contracting Parties declare that they are ready to conclude the agreements provided for in the second paragraph of the Protocol of Signature to the International Convention concerning the Transport of Passengers and Baggage by Rail, signed at Berne on October 23, 1924⁴, and in paragraph 1 of the Protocol of Signature to the International Convention concerning the traffic of Goods by Rail, signed at the same place and on the same day, as soon as it is certain that these Conventions are in force for traffic between the two Contracting Parties, on the one hand, and Germany, Austria, Italy, Switzerland and the Czechoslovak Republic, on the other hand.

Nevertheless, in view of the technical and economic difficulties which still exist in regard to certain traffic relations, agreements between the railway administrations may make provision for certain exceptions to the clauses of the Berne Convention of October 14, 1890, and of the texts, amending it.

These agreements must be submitted to both Governments for their approval.

Exceptions may only be made for such a period of time and within such limits as are absolutely necessary.

The Contracting Parties agree to enter into the negotiations provided for in Article 3, paragraph 2, of the Provisions of the International Convention on the Traffic of Goods by Rail — for the purpose of laying down more favourable terms in regard to goods accepted for transport under certain conditions.

Article 14.

1. As regards forwarding, transport rates and public charges thereon — subject to reciprocity — no distinction shall be made in passenger and baggage traffic by rail between the nationals of the respective territories of the two Parties.

2. Subject to reciprocity, goods forwarded from the Kingdom of the Serbs, Croats and Slovenes to the Kingdom of Hungary or through the Kingdom of Hungary to a third State, shall be treated

¹ *British and Foreign State Papers*, Vol. 82, page 771.

² *British and Foreign State Papers*, Vol. 87, page 806.

³ *British and Foreign State Papers*, Vol. 92, page 433.

⁴ Vol. LXXVII, page 367, of this Series.

on the Hungarian railways, as regards forwarding, transport rates and conditions, or public charges on transport rates, not less favourably than similar goods forwarded from Hungary or from a third State in the same direction and on the same line.

The same principle shall be applied on the railways of the Kingdom of the Serbs, Croats and Slovenes to goods forwarded from the Kingdom of Hungary to the Kingdom of the Serbs, Croats and Slovenes or in transit through the Kingdom of the Serbs, Croats and Slovenes to a third State.

3. This principle shall also be applied, subject to reciprocity, to goods conveyed by other means of transport across the frontier to the territory of the other Contracting Party and thence re-consigned by rail.

In this case, no distinction shall be made between the shipping companies of the Contracting Parties, especially as regards transshipment charges.

4. With regard to the application of railway tariffs, and of reductions on transport rates or other facilities in respect of the carriage of similar goods coming from the territory of the other Contracting Party, the following conditions may not be laid down :

(a) The condition that goods must be of native origin (the provision requiring a description of goods the use of which is impossible for the other Contracting Party, owing to the special nature of the goods, will be regarded as a condition tantamount to the requirement of native origin) ;

(b) The condition that goods brought to the consigning station shall come from the locality in which the station is situated, and the provision that goods must be brought to the consigning station by lorry, industrial railway, private branch line, secondary railway or by a specified line ; it shall, however, be permissible to require that the goods be brought to the consigning station by boat, irrespective of whether the goods are transhipped direct from the boat to the consigning station or whether they are brought from the transshipment station to the consigning station by an industrial line lying wholly in the territory of the State in which the consigning station is situated ;

(c) The condition that the raw materials or semi-finished products from which the privileged goods are made, shall have been wholly or partly carried by native routes.

5. The foregoing provisions of the present Article do not cover reduced rates granted in favour of public cultural or charitable institutions, or in the event of some abnormal and temporary crisis, or in favour of persons employed in the public service or in the service of the railways or other similar services, or in favour of the service consignments of national transport undertakings. It is agreed that the reductions granted in favour of public cultural or charitable institutions shall only be granted in isolated cases of no economic importance.

Article 15.

With regard to the principle of general equality of treatment laid down in Article 14, the Contracting Parties agree — so far as forwarding and transport are concerned — that priority may be given to traffic of vital importance to a country — whether internal, import or export traffic — over transit traffic of lesser economic importance.

If in special circumstances traffic to certain areas is rationed, as regards the nature and amount of the rolling-stock entering or leaving the area, and as regards tonnage in transit, the traffic of the two Contracting Parties to these areas shall be taken into consideration in fixing the quota, due regard being had to actual requirements.

Article 16.

The Contracting Parties agree that, provided the rate of exchange permits, through tariffs shall be fixed as soon as possible, at any rate for the most important goods and routes, in respect of passenger and goods traffic between their territories, as well as traffic between the territory of one of the Contracting Parties and the territory of a third State passing in transit through the territory of the other Contracting Party.

Funds derived from re-registration charges — except those derived from reduced charges valid for less than a year — shall be placed to the account of through traffic and calculated at the time of fixing through rates.

Article 17.

If one of the Contracting Parties should conclude agreements with a third State concerning through tariffs for transport by rail between its own territory and that of the said third State through the territory of the other Contracting Party, the latter shall be required to assist in framing the said through tariffs, due regard, however, being had to the provisions of Article 21.

Article 18.

The Contracting Parties agree that it would be highly desirable, when framing through tariffs, to fix the transport rates for each of them in one and the same monetary unit.

Article 19.

All tariffs, modifications of tariffs and reductions in the rates of internal and cumulative tariffs, must be duly published before they come into force.

The Contracting Parties shall notify each other of the rules and regulations in force with regard to the publication of tariffs and of their amendments.

The Contracting Parties shall invite their railway administrations to come to an agreement regarding the mutual communication of railway tariffs.

Article 20.

The present Convention does not in any way modify the provisions of the Convention for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the *Sudbahn*).¹

In so far, however, as the provisions of the present Convention are more advantageous to railway traffic than those contained in the above-mentioned Convention, they shall apply even to reciprocal traffic between the two States along the lines of the two systems of the Danube-Save-Adriatic Railway Company.

Article 21.

The Contracting Parties agree that all the provisions of the present Convention shall only apply to traffic with other States, after analogous conventions have been concluded with those States and within the limits of the provisions of such conventions.

¹ Vol. XXIII, page 377, of this Series.

Article 22.

Any dispute which may arise between the two Contracting Parties concerning the interpretation or application of the present Convention shall be decided by arbitration.

Each of the Contracting Parties must appoint an arbitrator.

The chosen arbitrators shall in their turn appoint a president.

If one of the Parties does not choose its arbitrator within thirty days, or if the chosen arbitrators do not agree within thirty days upon the choice of the president, the Central Office for International Railway Transports at Berne shall appoint the arbitrator or the president, as the case may be, who may not be one of the arbitrators chosen by the Parties.

The president of the arbitral Tribunal thus established shall fix the seat of the Tribunal and the procedure to be followed.

The decisions of the arbitral Tribunal shall be final.

Article 23.

The present Convention is subject to ratification. The ratifications shall be exchanged at Budapest as soon as possible. It shall enter into force fifteen days after the exchange of ratifications and shall be valid for five years from the time of its entry into force.

The Contracting Parties reserve the right to revise the present Convention at any time during its period of validity.

In faith whereof the above-mentioned Plenipotentiaries have affixed to the present Convention their signatures and seals.

Done at Belgrade on July the twenty-fourth, one thousand nine hundred and twenty-six, in two original copies.

(L. S.) (Signed) M. NINTCHITCH.

(L. S.) (Signed) HORY.

(L. S.) (Signed) NICKL.

ANNEX B.

CONVENTION

REGARDING THE MAINTENANCE OF THE IRON BRIDGES CONNECTING THE RAILWAY LINES
OF THE TWO KINGDOMS.*Article I.*

1. The Railway Administration of the Serb-Croat-Slovene State shall be responsible for the maintenance of the bridge across the Mure near Kotoriba ;

2. The Hungarian Railway Administration shall be responsible for maintaining the bridge across the Drave near Barcs ;

3. The Railway Administration of the Serb-Croat-Slovene State shall be responsible for the maintenance of the bridge across the Drave near Dolnji Miholjac ; and lastly

4. The Hungarian Railway Administration shall be responsible for the maintenance of the bridge across the Drave near Noskovci.

Article 2.

The cost of maintenance shall be divided by an arrangement to be concluded between the railway administrations for each of the above-mentioned bridges.

The officials, agents and workmen in charge of maintenance work may pass freely across these bridges in accordance with provisions which will be laid down in the arrangements to be concluded between the railway administrations of the two States. These arrangements must be concluded with the co-operation of the organs of the competent authorities in the two countries, and shall be subject to approval by both Governments.

The present Convention shall be ratified and shall enter into force fifteen days after the exchange of ratifications. The ratifications shall be exchanged at Budapest.

In faith whereof the above-mentioned Plenipotentiaries have affixed their signatures and seals.

Done at Belgrade in duplicate on July the twenty-fourth, one thousand nine hundred and twenty-six.

(L. S.) (Signed) M. NINTCHITCH.

(L. S.) (Signed) HORY.

(L. S.) (Signed) NICKL.

ANNEX C.

CONVENTION

REGARDING THE USE OF GOLA STATION.

Article 1.

The inhabitants of the town and district of Gola, situated on Serb-Croat-Slovene territory, are guaranteed the use of Gola station on Hungarian territory and of the railway serving that town and district, for the transport of passengers, baggage, express parcels, live animals and goods of all kinds.

Hungary undertakes to accord to the passengers and traffic mentioned in the preceding paragraph the same treatment in every respect as is enjoyed by Hungarian nationals and goods of Hungarian origin, provenance and ownership.

Article 2.

In order to facilitate the use of Gola station by the inhabitants of the town and district of Gola, the competent authorities of the Kingdom of the Serbs, Croats and Slovenes shall issue to those inhabitants frontier permits furnished with a photograph, for the purpose of crossing the frontier. These permits shall be controlled by the competent authorities of the Kingdom of Hungary.

Frontier permits shall, as a rule, be valid for six months and shall authorise the bearer to cross the frontier between sunrise and sunset and to use the road across the frontier as far as the station, but not to proceed beyond the station premises.

The bearer of a frontier permit must return across the frontier the same day. In cases of exceptional urgency, the executive authorities of the Contracting Parties may also agree to grant the right to cross the frontier at night.

In so far as the Contracting Parties may fix some other procedure granting more extensive facilities for crossing the frontier than are laid down by the present Convention, those facilities shall also apply *mutatis mutandis* to the traffic in question.

Article 3.

In order to facilitate communication by the inhabitants of the town and district of Gola with the hinterland, the Governments of the Contracting Parties shall arrange for through carriages, to the number of at least one a day, to be attached to passenger trains travelling in both directions between Gola station and Koprivnica via Gyékényes.

These passengers in transit need not carry a passport and shall only be required to have with them, in addition to the frontier permit mentioned in Article 2, such travel documents as are prescribed by the Ministry of the Interior of the Kingdom of the Serbs, Croats and Slovenes.

The inhabitants of the town and district of Gola travelling in transit by the above-mentioned railway and not in possession of a valid passport may only use the through carriages intended for this purpose. In this case these passengers, even if in possession of only a frontier permit, need not return on the same day. They are forbidden to leave the through carriages while in Hungarian territory.

Members of the armed forces — without firearms or hand-grenades — may only travel in through carriages up to the number of twelve.

Civilian passengers are expressly forbidden to carry any weapon whatever.

Passengers in through carriages and their baggage shall be accompanied on Hungarian territory by Hungarian police and Customs officials.

Officials of the Kingdom of the Serbs, Croats and Slovenes shall accompany through carriages from their own territory as far as Gyékényes and back, and officials of the Kingdom of Hungary shall accompany these carriages from their own territory as far as the station of Drnje na Dravi and back.

Article 4.

All other passengers must be in possession of a passport duly *visé*.

Article 5.

Passengers in through carriages and their hand-luggage are exempt from Customs examination. The registered baggage of these passengers shall be forwarded by trains to which through carriages are attached, shall be accompanied by a sealed Customs declaration and be exempt from Customs examination. The Customs formalities shall be accomplished in conformity with the provisions in force for other goods.

The Customs facilities accorded do not apply to baggage and goods carried along the road leading from the town of Gola to Gola station.

Should a special transit prohibition be in force for certain articles, the Royal Hungarian Government shall nevertheless ensure free transit even for these articles, except for war material, arms, ammunition and explosives.

The conditions under which Customs facilities may be accorded shall be fixed by the competent Customs authorities, which shall notify them to the respective railway administrations.

Article 6.

The present Convention shall be ratified and shall enter into force fifteen days after the exchange of ratifications. The ratifications shall be exchanged at Budapest.

In faith whereof the above-mentioned Plenipotentiaries have affixed their signatures and seals.

Done at Belgrade on July the twenty-fourth, one thousand nine hundred and twenty-six.

(L. S.) (Signed) M. NINTCHITCH.

(L. S.) (Signed) HORY.

(L. S.) (Signed) NICKL.

FINAL PROTOCOL

TO THE CONVENTION REGARDING THE USE OF GOLA STATION.

At the time of signing the present Convention, concluded this day between the Kingdom of the Serbs, Croats and Slovenes and the Kingdom of Hungary, the undersigned Plenipotentiaries made the following declaration, which forms an integral part of the said Convention :

The Plenipotentiaries of the Contracting Parties recognise that there is no need on this occasion to take special measures concerning the use of the railway between the Čakovac-Nagykanizsa line and the Zagreb-Gyékényes line, since traffic in transit along this railway is at present negligible and from the economic and financial points of view does not justify the use of special carriages exclusively reserved for the very limited number of passengers in transit.

Nevertheless, the Plenipotentiaries of the Contracting Parties agree that, should the necessity arise, their respective Governments shall authorise the Railway Administrations to get into direct touch with one another with a view to making arrangements for the regulation of the traffic in question, in accordance with the provisions of Article 303 of the Treaty of Trianon.

The Plenipotentiaries of the Contracting Parties jointly record the fact that the provisions of Article 303 of the Treaty of Trianon are fulfilled as regards goods traffic, since traffic through the frontier stations of Kotoriva and Gyékényes and along the railway connecting these two stations situated on Hungarian territory, is at present open and is proceeding, and will continue to proceed, on the basis of the Berne International Conventions on the Traffic of Goods by Rail.

Done in duplicate at Belgrade on July the twenty-fourth, one thousand nine hundred and twenty-six.

(Signed) M. NINTCHITCH.

(Signed) HORY.

(Signed) NICKL.

ANNEX D.

CONVENTION

REGARDING THE ADMINISTRATION AND MAINTENANCE OF THE HIGHWAYS, ROADS AND BRIDGES ON THE FRONTIER.

A. HIGHWAYS AND ROADS.

Article 1.

The following shall be regarded as frontier highways and roads :

(1) Those of which the axis forms the frontier between the two States and of which a part is common to both.

(2) Those which are intersected by the frontier and of which no part is common to both.

Article 2.

The nationals of the two States shall have the right to use the highways and roads mentioned in the preceding Article under the same conditions, provided they conform to the provisions of the

Arrangements concluded between the Kingdom of the Serbs, Croats and Slovenes and the Kingdom of Hungary with regard to frontier traffic.

The Contracting Parties reciprocally undertake to grant to the personnel in charge of the maintenance of common frontier highways and roads (watchmen, road labourers, engineers, etc.) the right to free passage in virtue of an identity card furnished with a photograph and controlled by the competent police authorities of the two Parties.

Article 3.

The Contracting Parties shall ensure that the civil authorities or persons, or groups concerned, who are responsible under the laws or autonomous regulations, maintain the frontier highways and roads in accordance with traffic requirements and that any damage is repaired as quickly as possible.

Article 4.

With regard to highways and roads intersected by the frontier, each of the Contracting Parties undertakes, at its own expense and in accordance with the provisions in force in its territory, to maintain that part of the highways and roads which is situated in its own territory.

Highways and roads the axis of which forms the frontier, shall be maintained in accordance with an agreement to be concluded between the competent authorities, interested groups responsible for the maintenance of these highways and roads or between individuals of the two Contracting Parties.

The maintenance work to be carried out shall be fixed for each year by agreement between the executive authorities (Public Works Department, National Buildings Offices). They shall execute this work in accordance with the provisions of the agreements mentioned in the preceding paragraph.

The obligation to maintain frontier highways and roads also extends to objects and to all accessories on these highways and roads.

Article 5.

The stones and flints necessary to the maintenance of the two parts of common highways or roads must be obtained as hitherto from the quarries or from the beds of rivers and streams situated in the two adjacent frontier zones.

The Contracting Parties reciprocally undertake to grant facilities for the transport and delivery of this material.

Article 6.

Should either of the Contracting Parties intend to build a new frontier high road, a special agreement must be concluded in each case.

Article 7.

Each of the Contracting Parties shall have the free disposal of pasture land and fruit crops along the frontier highways and roads situated in its own territory.

B. BRIDGES AND FERRIES.

Article 8.

The maintenance of the parts of bridges intersected by the frontier shall be incumbent upon the State in whose territory these parts are situated.

The maintenance of parts of bridges and bridge piers common to both parties shall be at the joint charge of the Contracting Parties.

The authorities responsible for maintenance (Public Works Department, National Buildings Offices) shall decide upon the work to be carried out jointly and fix the cost of its execution by joint agreement in each particular case. They shall ensure that this work is executed after being approved by their superior authorities. The repair of whole bridges (painting, etc.) must be carried out simultaneously by the authorities responsible for it in accordance with an agreement to be concluded in advance.

Article 9.

Should it become necessary to build a new bridge crossing common rivers or streams or to rebuild an already existing bridge, a special agreement shall be concluded in each case.

Article 10.

The concessions relating to the existing ferries across the Drave and the Mure remain in force ; they may only be extended or renewed by joint agreement.

The provisions of the Arrangement concerning frontier traffic also apply *mutatis mutandis* to ferry traffic.

Ferry tolls must be uniform and the same for the nationals of both Parties.

The conditions for the construction of ferries and their use must be fixed by joint agreement and uniformly for both Parties.

Article 11.

No new ferries between the two States may be established except in virtue of a special agreement to be concluded in accordance with Articles 6 and 9.

FINAL PROVISIONS.

Article 12.

The present Convention shall be ratified and the ratifications shall be exchanged at Budapest as soon as possible.

It shall enter into force fifteen days after the exchange of ratifications.

In faith whereof the above-mentioned Plenipotentiaries have affixed their signatures and seals.

Done at Belgrade in duplicate on the twenty-fourth of July, one thousand nine hundred and twenty-six.

(L. S.) (Signed) M. NINTCHITCH.

(L. S.) (Signed) HORY.

(L. S.) (Signed) NICKL.

ANNEX E.

CONVENTION

REGARDING THE PROTECTION AND UPKEEP OF THE BOUNDARY-STONES, PILLARS AND MARKS
INDICATING THE FRONTIER.

Article 1.

The two States undertake to maintain the boundary-stones, adjacent marks and other arrangements indicating the frontier, in their present state.

They further undertake to ensure that roads marking the frontier are maintained in a serviceable condition.

Finally, they undertake to mark the frontier line as permanently fixed wherever a change in the bed of a river makes this necessary, and also to have this frontier line inspected every ten years wherever the frontier is marked by the bed of a navigable waterway.

Article 2.

In the case of damage to boundary-stones, marks, etc. the two States shall adopt the following procedure :

A. The repair of damage which does not affect the demarcation and which can be made good without recourse to frontier survey documents, is incumbent upon the State which first learns of the said damage.

This State shall inform the other Contracting State of the date fixed for the repair, thus enabling it to take part in the repair work.

B. The two Contracting States shall be jointly responsible for the repair of any damage, whatever its cause, which can only be repaired with the help of frontier survey documents and the work shall be carried out in the presence of the persons concerned. The two States shall, if required, agree as to the necessity of the work.

C. The repair of damaged boundary-stones placed along the Mure, the Drave or other watercourses marking the frontier or in general placed wholly in the territory of one or other of the Contracting Parties and thus not directly marking the frontier line, shall be incumbent upon the State in whose territory these stones are placed.

D. In the cases mentioned under A, B and C, a Protocol in two copies shall be drawn up which shall contain a statement regarding the measures taken and to which shall be attached an annex specifying the cost, in so far as this is to be borne jointly by both Parties. This Protocol shall be submitted for approval to the two States.

E. As regards the reimbursement of the cost of repair resulting from damage mentioned under A, B and C, the following procedure shall be adopted :

(a) The repair of damage caused by a national of one of the two Contracting States shall be paid for by that State, subject to the right to bring an action against the person responsible for the damage.

(b) Should the author of the damage be a national of another State, the two Contracting States shall each pay half the cost of repair, subject to the right to bring an action against the person responsible for the damage.

(c) Should the author of the damage be unknown and unable to be found or should the damage be caused by natural agencies (*force majeure*), the two States shall each pay half the total cost of material and labour.

Expenditure due to administrative action and procedure shall be regarded as an internal affair of each of the two Contracting States.

Article 3.

The current cost of material and labour incurred in respect of the upkeep of boundary-stones and marks shall be regarded as joint costs and divided equally between the two Contracting States. Settlement shall be made on January 1st and July 1st of each year.

Article 4.

Stones serving in virtue of Article 2, A, B and C for the renewal of damaged boundary-stones shall be furnished at joint expense :

- (1) For sections A, C and E, by the Serb-Croat-Slovene Kingdom.
- (2) For sections B, D and F, by the Kingdom of Hungary.
- (3) For monuments erected at points common to three States, by the State which shall be designated by agreement between the three States concerned.

Article 5.

The present Convention shall enter into force on the day of the exchange of ratifications.

In faith whereof the respective Plenipotentiaries have affixed their signatures and seals.

Done at Belgrade in two original copies on the twenty-fourth of July, one thousand nine hundred and twenty-six.

(L. S.) (Signed) M. NINTCHITCH.

(L. S.) (Signed) HORY.

(L. S.) (Signed) NICKL.