

N° 3103.

**ROUMANIE
ET YOUGOSLAVIE**

Convention générale concernant le
régime des eaux. Signée à Bel-
grade, le 14 décembre 1931.

**ROUMANIA
AND YUGOSLAVIA**

General Convention concerning the
Hydraulic System. Signed at Bel-
grade, December 14, 1931.

¹ TRADUCTION. — TRANSLATION.

No. 3103. — GENERAL CONVENTION ² CONCERNING THE HYDRAULIC SYSTEM CONCLUDED BETWEEN THE KINGDOM OF ROUMANIA AND THE KINGDOM OF YUGOSLAVIA. SIGNED AT BELGRADE, DECEMBER 14, 1931.

French official text communicated by the Permanent Delegate of the Kingdom of Yugoslavia accredited to the League of Nations. The registration of this Convention took place December 15, 1932.

HIS MAJESTY THE KING OF YUGOSLAVIA and HIS MAJESTY THE KING OF ROUMANIA,
Equally desirous of fulfilling the provisions of Articles 292 and 293 of the Treaty of Trianon,

Have decided to conclude a Convention to regulate the establishment of agreements therein mentioned in connection with the hydraulic system, and, for this purpose,
Have appointed as their respective Plenipotentiaries the following :

HIS MAJESTY THE KING OF YUGOSLAVIA :

His Excellency M. Voyislav MARINKOVITCH, Doctor of Laws, His Minister for Foreign Affairs ;

HIS MAJESTY THE KING OF ROUMANIA :

His Excellency M. Constantin CONTZESCO, Minister Plenipotentiary, His Delegate on the Danube Commissions,

Who, having communicated to each other their full powers, found in good and due form, have agreed on the following provisions :

CHAPTER I.

GENERAL PROVISIONS.

Article 1.

The High Contracting Parties undertake to proceed to the necessary agreements for maintaining the unity of the hydraulic system of these water basins crossed by the new frontier line between the two States of which the hydraulic system (canalisation, inundation, irrigation, drainage or similar matters) in one State is dependent on works carried out in the territory of the other.

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 Bucharest, October 14, 1932.

They undertake at the same time to ensure the maintenance in a good state of preservation and working order of such hydraulic works and installations in their own territories as are in any way connected with the unity of the hydraulic system.

In the absence of any previous agreement between them, the two States will abstain from any alteration of the existing installations and works, and from any measures or operations which might modify the hydraulic system in the territory of the neighbouring State and thus affect its interests or acquired rights.

Article 2.

The agreement provided for in the first paragraph of Article 292 of the Treaty of Trianon must also be drawn up in advance whenever either State proposes, within the water basins mentioned in the previous Article, to take new measures or to carry out new works such as would modify the conditions of the existing hydraulic system.

When either State requests that in its own sole interest certain measures shall be taken or certain works carried out in the territory of the other State for the maintenance or improvement of the unity of the hydraulic system, the latter State shall undertake, subject to the conditions laid down by Article 8 of the Regulations regarding the powers and duties of the Permanent Technical Hydraulic System Commission of the Danube (C.R.E.D.), dated May 25, 1923, to facilitate the execution of such work, or the taking of such measures.

Article 3.

Should either State propose to make any alterations or take any measures or undertake any works in its own territory such as might change to an appreciable extent the hydraulic system in the basins mentioned in Article 1 above, it shall, by registered letter with notification of receipt, send to the other State notice of its intentions, together with a summarised description of such works, alterations or measures, with a view to the preliminary establishment of the agreement provided for by Article 292 of the Treaty of Trianon.

Such communication shall be confirmed within a period of 15 days.

If within two and a half months from the date of the communication the latter State has neither acknowledged receipt nor made any observations, the proposed alterations, measures or works may be undertaken without further formalities.

In the contrary event, the proposed alterations, measures or works may not be carried out until agreement has been reached between the two States.

If agreement is not reached within a reasonable period, action shall be taken in accordance with Article 6 of the Regulations of the C.R.E.D.

Article 4.

The Agreements which, under Article 292 of the Treaty of Trianon, the two States are bound to conclude with one another, and which are referred to in Articles 1, 2 and 3 above, shall in every case be such as to safeguard the interests and acquired rights of each State, notwithstanding any changes in respect of property rights or any other changes which may have occurred *de facto* in either territory since it actually ceased to be under the former Hungarian administration.

Article 5.

Except through the intermediary of the Governments of the two States, interested parties in either territory may not make any agreement or enter into any commitment with interested parties or public authorities in the other territory for the settlement of matters forming the subject of the Agreements provided for in Article 292 of the Treaty of Trianon.

Article 6.

The two States shall keep each other informed regarding measures proposed and works executed by them in the basins of watercourses which, though situated in the territories specified in Article 293 of the Treaty of Trianon, are not divided by the new frontier line between the two States.

As a general rule such notification shall be effected by means of the annual summary statements referred to in Article 5, paragraph (a) of the aforesaid Regulations of the C.R.E.D.

The two States undertake to make these statements sufficiently full to enable each State to ascertain from the information thus supplied whether the measures and works proposed or executed by either of them within its own territory are such as to affect the hydraulic system in the territory of the other State, and so that in such an event the required agreement may be established between the two States.

Article 7.

On the proposal of either State, and subject to previous consent, joint inspections of the places affected may be made from time to time for the purpose of studying the hydraulic system of the hydrotechnical areas and watercourses and their basins, in order to consider what measures are advisable or what works should be carried out for the maintenance or improvement of the hydraulic system affecting either or both of the States.

Article 8.

The two States undertake to ensure that any sums which are necessary for the completion of the measures or the execution of the works and which they have undertaken to provide themselves or to have provided by the parties concerned shall be available at the proper time, such sums to be fixed in accordance with the agreements reached.

If the expenditure necessitated by the measures to be taken or the works to be executed in the territory of either State is to be borne in part or as a whole by the territory of the other State, the latter shall pay its share or the whole sum due to the first State through banks or by other methods jointly arranged by the Parties when the relevant Agreement was established.

If, under the conditions mutually agreed upon, it is arranged that the contribution towards the expenses of measures taken or towards the upkeep of works carried out in the territory of one State shall be refunded, either in the form of a single payment or over a fixed period of years, by the territory of the other State, the methods of payment of such contribution shall be the same as those laid down in the preceding paragraph.

Article 9.

The two States shall communicate to one another any laws or other regulations which are now in force or which may be promulgated in the future, regarding the hydraulic system, the forestry system and fisheries : they shall also communicate to one another their official periodicals concerning hydrometrical, hydrological, meteorological and geological data collected in their respective territories which may be of assistance in the study of the hydraulic system.

Article 10.

When either State requests, for purposes of study, certain data or information regarding the hydraulic system of the other State, the latter undertakes, in the absence of any legitimate objection to supply them.

CHAPTER II.

HYDROTECHNICAL SYSTEMS OF CANALISATION, INUNDATION, IRRIGATION, DRAINAGE
AND THE LIKE.*Article 11.*

In order to ensure that the hydrotechnical systems of canalisation, damming, irrigation, drainage, etc. traversed by the new frontier line shall operate unchanged and in accordance with their original purposes, and that their hydraulic systems shall be maintained in their original condition, special Agreements shall be established between the two States in accordance with Article I above, in respect of each of the said systems, whether managed by a hydraulic company, interested parties or other organisation of whatever kind, or by a private enterprise or private individual or the State.

All the parties coming into existence as a result of this territorial division shall be bound in the future to comply with the provisions of the agreements mentioned above.

Article 12.

The present conditions of the hydraulic system and the present state of the works and installations of the hydrotechnical systems having first been jointly ascertained, the preparation of the special Agreements mentioned in the previous paragraph shall then be undertaken.

Apart from any questions which may arise in the course of the negotiations, the following matters shall be settled by the said special Agreements : the preparation of a technical and financial programme for the upkeep of the entire hydrotechnical system, the allocation of the costs involved between the territories of the two States, and the inspection of the execution of such programmes ; co-operation between and co-ordination of the services concerned within the territories of the two States, and the co-ordination of the statutes of such new organisations as are or may be set up, within the territories of the two States, and of the regulations governing the various services connected with the hydraulic system.

All these questions must be settled by special Agreements in such a way as to safeguard the interests and acquired rights of the territories concerned in the two States, and to preserve the existing equilibrium.

With this object the following procedure shall be adopted : both in the case of areas where, before the division caused by the new frontier line, the maintenance expenses were borne by those concerned within the two territories under the former system of contributory shares, and in areas where they were not so borne, the division shall be made, as circumstances require, either according to the former system of contributory shares or some other contribution share in proportion to the relative advantages accruing to each territory, or by reserving for each district the maintenance expenditure incurred within its own territory.

Article 13.

As regards the execution of new works for agricultural improvement and the maintenance of such works, the special Agreements to be drawn up shall, in addition to the questions referred to in the previous Article, also settle the following points : the preparation of plans and elaboration of schemes for such works, and the allocation of the charges in connection therewith ; and the preparation of a technical and financial programme for their execution and maintenance and the allocation of the charges in connection therewith, in proportion to the benefits derived from the agricultural improvement of the land.

In all other cases which may arise the two States shall jointly establish the principles on which the above questions shall be settled, in each case taking due account of the benefits derived from the new works by the territories of the two States.

Article 14.

In the fixing of the proportionate share payable by the territory of each State, no account shall be taken of the maintenance costs of works and installations which do not form an integral part of the hydrotechnical system, or of administrative costs ; these charges shall be borne by the territory of each State in respect of that part with which it is concerned.

Article 15.

The ratio between the shares, once fixed, may not be altered without previous agreement between the States.

An agreement between the two States shall also be required for the abandonment in the territory of either State of the maintenance or operation of any part of a hydrotechnical system crossed by the new frontier line.

CHAPTER III.

WATER-COURSES.

Article 16.

In order to ensure the maintenance in good condition of the system of watercourses forming part of the frontier or crossed by the new frontier line, including the tributaries of such watercourses, the two States shall take all necessary measures and carry out all works that are necessary and appropriate :

- (a) To provide for the maintenance of the profiles of the watercourse by the removal of natural or artificial obstacles liable to affect detrimentally the passage of the waters or to produce eddies ;
- (b) To provide for the maintenance of the fall ;
- (c) To prevent any excessive floods and any modification of the low-water level above or below the admissible variations.

Article 17.

The work of strengthening the banks, of regulating and correcting the river-bed and all other existing works which may affect the territory of the other State shall be continued in future in such a way as to fulfil the purpose for which they were constructed.

The manner in which these works are to be kept up shall be laid down by special agreements which shall specify the technical and any other provisions in connection with their execution, any sharing of the expenditure involved and all other administrative measures to be taken to promote such maintenance work.

Article 18.

When, within the territory of one of the States, and in connection with the watercourses mentioned in Article 16 above, new measures are to be taken or new works carried out which may affect the territory of the other State, an agreement shall be concluded between the two States.

The drawing up of plans and the preparation of schemes shall also be carried out by agreement between the two States.

Article 19.

If either State desires to carry out on a watercourse within its territory new works which might injuriously affect any interests in the territory of the other State, such works may be carried out only by agreement between the two States.

Article 20.

As a rule, the expenditure incurred in the maintenance of the hydraulic system, the cost of maintenance of old works and of the carrying out of new operations and maintenance of new works shall be borne by each State within its territory, subject always to the observance of the second paragraph of Article 1 above.

Nevertheless the cost of executing special regulating works on watercourses which form the frontier may be divided between the two Parties in accordance with the agreement drawn up for that purpose.

Article 21.

In cases in which, prior to the fixing of the new frontier, the charges incurred in maintaining in good condition the banks and bed of a watercourse, or the cost of maintenance of old works carried out for that purpose, were borne by a hydraulic association or by various interested parties, the obligations of such association or parties shall remain under the same conditions in the future and their contributions shall be levied on the same basis as in the past.

CHAPTER IV.

UTILISATION OF WATER OR OF HYDRAULIC POWER.

Article 22.

In order to provide for the utilisation by one State, in virtue of customs existing before the fixing of the new frontier, of water or hydraulic power originating in the territory of the other State, the two States shall conclude agreements safeguarding the interests and acquired rights of each State.

Article 23.

No modification may be made, no measures taken and no works carried out such as to affect the conditions laid down by the agreement provided for in the previous Article, unless a fresh agreement has first been concluded between the two States.

The consent of the State concerned shall always be necessary for the discontinuance of any measures or the abolition of any works in the territory of the other State for the conveyance of water or water-power.

CHAPTER V.

EMPLOYMENT OF ELECTRICITY OR WATER FOR MUNICIPAL OR DOMESTIC PURPOSES.

Article 24.

In order to provide for the utilisation within one State, for municipal or domestic purposes, of electricity or water the source of which, as a result of the fixing of the frontier line, is situated in the territory of the other State, the two States shall conclude agreements for the protection of the interests and required rights of each State.

Article 25.

When making the agreement referred to in the preceding Article, the following points shall be settled :

(1) The conditions under which electricity and water shall continue to be supplied from central electric power stations and from waterworks ;

(2) The means to be adopted for the upkeep of installations of all kinds in the territories of the two States ;

(3) The procedure to be followed by the States and the courts of law which shall have jurisdiction over any disputes which may arise from the non-observance by power stations or waterworks of clauses of their contracts.

Article 26.

In the event of a request by one of the interested parties for a modification of the conditions laid down by the agreement mentioned in the preceding Article, the two States shall jointly decide whether the modifications requested are justifiable.

CHAPTER VI.

DISAFFORESTATION AND REAFFORESTATION.

Article 27.

With a view to the maintenance and improvement of the unity of the hydraulic system in the basins referred to in Article 293 of the Treaty of Trianon, and with particular reference to disafforestation and reafforestation, the two Governments agree to take the following measures in their respective territories :

(1) To apply strictly all the provisions of the forest laws, in particular those concerning the boundaries of protective forests in the basins connected with the hydraulic system of the two States, and the preservation of such forests ;

(2) To proceed actively with the reafforestation of forests exploited on an annual and regulated basis, and previously exploited forest lands which have not yet been reforested ;

(3) To take the necessary measures for the corrective treatment of ravines and torrents and for the afforestation of unproductive lands.

The two States shall furnish one another with annual reports on the execution of the measures mentioned above, viz :

The corrective treatment of ravines and torrents and the reafforestation of denuded lands ;

The general situation and the area of forests exploited and of land laid bare ;

The area of land reafforested and improved.

All necessary data shall be shown on maps of a scale of 1 : 200,000, or if possible on a larger scale.

The two Governments further agree that joint inspections, subject to the conditions specified in Article 7 above, may also take place in connection with disafforestation and reafforestation, special cases arising either out of the reports mentioned above or from enquiries and observations by either of the two States as to any noticeable effect which might be or might have been exercised on the existing hydraulic system by the present forest system, or by forest schemes or works (corrective treatment of torrents and afforestation of denuded lands) proposed or carried out in the territory of either of the two States.

In such cases, which shall be specially prepared beforehand, and supported by the necessary investigations, the forestry experts of the two States shall carry out on the spot a joint enquiry into the said reports with reference to the present forestry situation and into any schemes or works, and shall prepare a report containing particulars of their enquiries and recommendations.

Each Government shall thereupon decide what measures to take, with due reference to its legal and financial position.

CHAPTER VII.

SERVICES CONNECTED WITH THE HYDRAULIC SYSTEM.

Article 28.

In order to provide for the necessary liaison and relations between the services set up on either side of the frontier, by the authorities or by interested institutions or organisations, in regard to the hydraulic system, such as the hydrometric and flood warning services, the two States shall take the necessary measures to secure the co-ordination of the said services and co-operation between the organs in charge thereof : the methods to be adopted for this purpose shall be settled when the Agreements are drawn up regarding hydrotechnical systems crossed by the new frontier line.

The two States undertake at the same time to promote any action by either of them for the preparation of forecasts, and to promote the development and improvement of such services, with a view to securing, especially in the event of risk of flood, the transmission of hydrometrical and meteorological data as laid down on the conclusion of the special agreements.

In the event of danger of flood, the organs set up by the associations, or the official organs appointed by each State, shall be bound without delay and on their own initiative to notify each other, by the most rapid means, of all observations taken in the territory of each State which are of importance to the flood prevention services in the territory of the neighbouring State.

Article 29.

In the event of danger of a breach of the dams, the organs set up by the associations or by the official organs appointed by each State, acting under the orders of any special commissioners who may be appointed with full powers by the higher authority, shall at once and on their own initiative

notify, by the most rapid means, the measures taken which affect the flood protection services of the neighbouring State.

If necessary, the organs and commissioners aforesaid shall jointly arrange measures to be taken in common.

In the event of the breach in either State of a dam forming part of a hydrotechnical system crossed by the frontier line, information thereof shall be given to the organs or commissioners in the other State.

In such an event, the organs or commissioners of the two States shall jointly take all necessary steps for the reduction of risks, the saving of the life and property of the inhabitants, the evacuation of the water, etc.

In the event of the breach in either State of any other dam forming part of a hydrotechnical system not crossed by the new frontier line, situated in the territories specified in Article 293 of the Treaty of Trianon, such breach shall be officially notified, by the most rapid means, to the competent service in the other State.

CHAPTER VIII.

ENQUIRIES INTO MATTERS CONNECTED WITH NAVIGATION.

Article 30.

When either State proposes to take measures or to carry out works in its territory which are directly or subsidiarily concerned with the navigability for shipping or rafts of any river, canal or watercourse situated in one of the water-basins referred to in Article 1 of the present Convention, such State shall notify to the neighbouring State the programme or plan of the works proposed.

If the joint enquiry shows that such measures or works do not affect the hydraulic system in a way prejudicial to the interests or acquired rights of the other State, they may be carried out without further formality.

In the contrary event, the two States shall come to an agreement before the works in question are undertaken.

The notification of draft schemes of works to provide for the maintenance or improvement of the navigability of the Danube must be made sufficiently in advance to enable the enquiry mentioned above to be completed before the schemes are submitted to the International Commission of the Danube.

CHAPTER IX.

FISHERIES.

Article 31.

In order to protect the interests of the fisheries in the basins of the watercourses crossed by the frontier line, the two Governments shall by common agreement take in their respective territories the necessary steps for the preservation and reasonable operation thereof in accordance with their respective laws.

Article 32.

In particular the two Governments shall ensure compliance with their legal provisions prohibiting industrial undertakings or factories from discharging or emptying into the waters any materials or effluents capable of stupefying or destroying fish.

Similarly they shall forbid the placing, in any river, canal, body of water or watercourse of any fishery, dams or devices or works liable to prevent the free passage of fish.

Article 33.

The two Governments furthermore agree to ensure strict compliance with their legal provisions concerning the use of lawful fishing tackle and apparatus, and the due observance of close seasons.

Article 34.

Should any works be carried out within the territory of either State which might affect to the detriment of the other State the preservation or breeding of fish, the two States shall conclude an agreement on the matter.

CHAPTER X.

FACILITIES TO BE GRANTED BY THE TWO STATES.

Article 35.

The two States shall grant to the local technical agents appointed by them, whose names they shall communicate to each other, all facilities necessary to ensure their cooperation and the joint supervision essential for the coordination of any measures to be taken or works to be carried out by either party in accordance with the special Agreements.

Such agents, who shall be provided with an identity card describing their status, shall be empowered to establish personal relations with one another in either territory, and to correspond with each other direct : any police and Customs formalities with which they may have to comply shall be carried out in regard to them in such a way as not to interfere with the execution of their duties.

When there is a danger of flood, they may also, subject to conditions to be laid down at the time of the drawing up of the agreements provided for by the present Convention, use the public telephone, in order to secure the coordination of emergency measures to be taken by each of the parties for protection against floods.

Article 36.

The two States agree that when there is in their territories a danger of a rise of waters or of a flood, priority shall be given to telegraphic messages and telephone conversations between the State waterway services or the organisations concerned.

In the circumstances mentioned above, the same priority shall be granted to any communications by wireless telegraph or telephone.

CHAPTER XI.

PROCEDURE.

Article 37.

The two States agree that the enquiry into and settlement of matters connected with the hydraulic system, and also the conclusion of the agreements provided for in the present Convention shall preferably be entrusted to their official delegates on the C.R.E.D.

For all these matters the delegates shall be entitled to correspond with one another direct.

Article 38.

With a view to establishing the agreements mentioned in the preceding Article, the delegates may avail themselves of the assistance of experts nominated by their respective Governments with a view to an inspection, either jointly or by the experts alone, of the situation on the spot, and to the assembling of technical or other data connected with the matters to be settled.

A joint statement of the conditions on the spot, together with any observations thereon, shall be given in a report, which shall be in duplicate. The report, if drawn up by the experts alone, shall be transmitted to the delegates.

Article 39.

On receipt of the report mentioned in the preceding Article, the delegates shall, with the assistance of the same experts, to whom they may add others, prepare a draft agreement or a simple exchange of notes, as circumstances may require.

Should agreement be reached on all points, the draft agreement, which shall be drawn up in duplicate, initialled by the delegates and accompanied by the report, or else the draft notes which it is proposed to exchange, shall be submitted by each delegate to his Government for approval.

The two Governments shall take the necessary steps to enable their replies to reach the delegates if possible within two months.

Article 40.

In the event of approval by the two Governments of the draft agreement or of the notes which it is proposed to exchange, the delegates shall place on record the final agreement between the two States and shall jointly communicate the text of the agreement to the President of the C.R.E.D. in accordance with the Regulations of that Commission, dated May 25, 1923.

Should the Governments not approve the draft agreement submitted to them, the matter shall be referred back to the delegates for reconsideration.

Article 41.

If an Agreement cannot be reached between the delegates, the Governments of the two States shall note the disagreement.

Each State shall thereupon be at liberty, after having given the other State one month's notice of its intention to do so, to have recourse to the intervention of the C.R.E.D. in accordance with the Regulations aforesaid.

CHAPTER XII.

TEMPORARY PROVISIONS.

Article 42.

The two States declare their mutual agreement to terminate finally and formally the powers of management exercised by the former hydraulic associations or other institutions or organisations whose territories were crossed by the new frontier, and whose object was the agricultural improvement of definitely delimited areas.

The two States further declare themselves agreed to allocate and subsequently to transfer, in accordance with the provisions of the following Articles, the property, rights and interests of the

institutions or organisations mentioned above to the new institutions or organisations set up or hereafter to be set up on the portions of the systems referred to above resulting from the partition created by the new frontier line.

Article 43.

Existing movable and immovable property which forms an integral part of the hydrotechnical systems of the former associations crossed by the frontier line, and also immovable property, not being an integral part of such systems, regarding which provision had to be made to ensure servitudes (bridges, roads, lands expropriated either before or after the execution of the works, lands gratuitously transferred by those concerned or by other persons, and property of the same nature) shall without any compensation become the property either of the territories concerned or, as the case may be, of the organisations which operate to-day in the territory where the property in question is, or — as regards movable property — should have been, situated in consequence of their original purpose, at the time of the *de facto* cessation of the undivided management of the former associations.

The following shall be regarded as immovable or movable property forming an integral part of the hydrotechnical systems : dams, houses of sectional engineers, inspectors and dam-keepers, together with their inventoried contents, storehouses, complete telephone installations, canals, houses of inspectors and keepers of canals, and their inventoried contents, pumping stations and their inventoried equipment, together with all works, constructions and installations, technical or other.

Article 44.

Movable property forming an integral part of a hydrotechnical installation, and previously utilised for the working or maintenance of the entire system, such as dredges, motor or steam launches, elevators or the like, shall be either carefully preserved and used by mutual agreement as the common property of the two Parties, or transferred to one of the Parties, who shall give due compensation to the other Party, the amount of such compensation to be settled in accordance with the principles laid down in Article 47 below.

Should either of the Parties, with or without the consent of the other Party, have already sold such property, or should such property be hereafter sold by mutual agreement, the proceeds of such sales shall be equally divided in accordance with the principles specified in the first paragraph of this Article.

Article 45.

Movable or immovable property, not forming an integral part of the hydrotechnical system of any of the associations in question, other than the property mentioned in Article 43 above, or the equivalent value thereof as determined by joint agreement in accordance with Article 46 below, shall be divided between the territories concerned of the two States or the new hydraulic organisations, as the case may be, in accordance with the principles laid down in Article 47, first paragraph, below.

A similar division in accordance with the principles mentioned in the preceding paragraph shall be made in the case of the revenues accruing from such movable or immovable property since the date of the *de facto* cessation of the former undivided management, and also in the case of the maintenance expenses of such property over the same period, in the currency in which such revenues were collected or such expenses paid.

The following shall be regarded as immovable property not forming an integral part of the hydrotechnical systems : buildings constructed for use as administrative offices with all lands and annexes appurtenant thereto, central storehouses, and buildings used to house the managers or officials of the former associations, with the lands and annexes appurtenant thereto.

Lands formerly expropriated or acquired in any other manner, but not constituting an integral part of the hydrotechnical systems, shall not be divided between the territories concerned in the

two States, but shall remain the exclusive property of the new organisations of the State within whose territory they are situate.

The following shall be deemed to be movable property not constituting an integral part of the hydrotechnical systems : the inventoried contents of the buildings mentioned in the preceding paragraph and all other movable property in the possession of the new organisations.

Should property belonging to the category mentioned in the paragraph above, and subject to division, have been already sold by one of the two new organisations, the proceeds of the sale shall be divided between the new organisations in accordance with the principles laid down in the first paragraph of Article 47 below.

Article 46.

Movable property coming under the provisions of the preceding paragraph which is in the possession of one of the new organisations and is liable to division shall either be kept by that organisation on payment of compensation to the other organisation or shall be sold by mutual agreement : in the latter case the proceeds of the sale shall be divided in the proportions determined in conformity with Article 47 below.

If however one of the new organisations demands the sale of the joint divisible property specified in the preceding Article and situate in the territory of the other State, the other organisation shall not be entitled to refuse such demand. Conversely, no new organisation may compel an organisation situate in the territory of the other State to retain property referred to in the present Article.

The value of the property which, according to the terms of this Article, is to be divided between the new organisations shall be determined by the competent local authorities of the State in whose territory the property is situate.

The value of such property shall be assessed in the presence of the agents of the two States mentioned in Article 69 below, who shall be free to accept or reject the value so assessed.

In the event of the refusal to agree to the value thus arrived at, the agents of either State may demand the public sale of such property.

The amount of the compensation referred to in the first paragraph of the present Article shall be fixed by the agents of the two States in accordance with an assessment arrived at as mentioned above, and shall be expressed in the currency in which the assessment was expressed. This sum shall be paid to the creditor organisation before the expiration of the subsequent financial year of the debtor organisation.

The division of movable property referred to in this Article shall preferably be in kind, due account being taken of the original value as shown in the register and of the condition of such property at the time.

Article 47.

All charges arising out of the debts and obligations of the former hydraulic associations whose delimited area is crossed by the new Roumanian-Yugoslav frontier, and payable in Austro-Hungarian crowns to Austrian or Hungarian nationals, shall be divided between the territories concerned in the two States or between the new hydraulic organisations, as the case may be, in the proportion adopted in the settlement of the shares payable by those concerned as members of the former association in the financial year 1918.

The total value of the debt charges to be divided between the territories concerned in the two States shall be determined by bilateral financial conventions, already concluded or to be concluded, between Roumania and Austria, Roumania and Hungary, Yugoslavia and Austria, and Yugoslavia and Hungary.

The payment of interest and amortisation of the capital sum of the debts shall be resumed and carried out in future in accordance with the provisions of bilateral financial conventions concluded or to be concluded between the States above mentioned.

All charges arising out of the resumption of the service of interest and amortisation shall be divided in their totality on the lines laid down in the first paragraph of the present Article.

Article 48.

The total value of all the claims of the former hydraulic associations mentioned in this Chapter against Austrian or Hungarian nationals shall be divided, as the case may be, between the territories concerned or the new hydraulic associations situate in the territories of the two States, in accordance with the principles laid down in the first and second paragraphs of the preceding Article.

Article 49.

The sum of the debt charges and the total value of the claims of the former associations referred to above against the nationals of the two Contracting States shall be divided in accordance with the principles laid down in the first paragraph of Article 47 above.

The total value of these charges and claims to be divided between the two States and the methods of payment or recovery, as the case may be, shall be settled in accordance with the provisions of the financial agreements concluded or to be concluded between the two States for the liquidation of the debts and claims of their respective nationals, expressed in former Austro-Hungarian crowns.

Article 50.

The total of all other kinds of values, both assets and liabilities, which were in existence at the time of the *de facto* cessation of the undivided management of the former associations in question, shall be determined and divided between the territories concerned in the two States, in accordance with the principles laid down in paragraphs 1 and 2 of Article 47 above.

Article 51.

No division shall be made of the reciprocal debts and claims of the new hydraulic organisations arising out of the existence of payments in arrears, or payments in excess of the shares due from those concerned in the two new organisations, in consequence of changes in the provisional line of delimitation and the frontier between the two States.

Similarly, no division shall be made of mutual debts and claims of the new associations of the two States in respect of the refund of taxes.

Article 52.

The principles laid down in paragraphs 1 and 2 of Article 47 above shall apply also to debts and claims consequent upon the settlement of law-suits brought by or against the former associations in question.

Article 53.

The two States shall take all necessary measures for the earliest possible exchange of all records and other written matter concerning former hydraulic associations whose delimited area is crossed by the new frontier line.

By the term " records and other written matter " which are to be exchanged are understood :

(a) Chancery deeds and documents (registers, public books of all kinds, reports, statements, drafts, declarations, minutes of meetings and of managing boards, including still incomplete documents, with all relevant annexes, whether written, drawn, printed or otherwise manifolded) ;

(b) Registers (land registers, land survey books, lists, indexes, receipt vouchers, and records of despatches, catalogues, accounts, statistical tables, etc.) ;

(c) Plans (maps, drawings, draft schemes, rough drawings, diagrams, negatives, sketches, relief maps, studies, programmes, descriptions, copies and the originals thereof, transparent or otherwise) ;

(d) Documents of all kinds (diplomas and privileges, contracts, concession deeds, statutes, certificates, accounts, annexes, etc.).

Article 54.

All records and written matter in the possession of any of the new hydraulic organisations and relating to the organisations of the other State, irrespective of the date from which such records or written matter exist, shall also be exchanged.

Article 55.

If records and written matter relating solely to one of the new organisations are situate in the territory of the other, they shall be surrendered by such State in the original.

Records and written matter which concern the territories of the two States shall remain in the possession of the State which holds them, subject to an obligation to deliver official copies thereof to the other State. These copies shall be made at the request of the applicant State, at the joint expense of the two parties, the cost to be shared in the proportions laid down in Article 47 above.

Maps or survey sections of flood lands shall be surrendered in the original to the party concerned in so far as they relate exclusively to his territory. Land survey sections of territory crossed by the new frontier line shall be surrendered to the party whose interests cover the larger portion of such sections, a copy thereof being supplied to the other party.

General plans, covering the entire hydrotechnical systems of the former associations, shall be kept in the original by the party possessing them, and copies of the whole plans shall be given to the other party.

Should one State have need of an original document in the possession of the other, such document shall on request be lent for a period jointly agreed on by the parties.

Article 56.

The fact that records and other written matter concerning the activities of the former hydraulic associations are deposited and classified in the museums, libraries, etc. of one of the two States, shall not preclude the obligation to surrender such documents to the applicant party.

Article 57.

The agents appointed for the purpose of the exchange of records shall be entitled to examine the registers and indexes in order to satisfy themselves that the material to be copied or surrendered is complete.

These agents shall also be entitled to visit the offices and other rooms where the records are preserved and to check their contents.

Article 58.

Material thus surrendered shall be exempt from all duties and taxes, and the party surrendering it over shall provide all facilities for its transport.

The costs of transport shall be divided between the two parties in the proportions laid down in Article 47 above.

Article 59.

The records and written material referred to in the preceding Articles may not in any way be sorted or destroyed without previous notice to the other party, who must forward his reply thereto within a period of six months.

Article 60.

The exchange between Roumania and Yugoslavia of records and written matter belonging to the former associations, whose delimited area is divided by the new frontier lines between Roumania, Yugoslavia and Hungary, shall be effected before the conclusion of the Tripartite Agreement between the three States concerned, in accordance with the principles laid down above, subject always to the acquired rights and interests of the Hungarian State.

This exchange of records and written matter may if necessary be completed in accordance with the provisions of the Tripartite Agreement to be subsequently concluded between Roumania, Yugoslavia and Hungary.

Article 61.

The two States agree to take all necessary steps for the complete and final settlement of the debts and claims of the former hydraulic associations whose delimited area is crossed by the new frontier line, and those of their employees and pensioners in respect of the "Pensions Institute of Associations for Protection against Flood" at Budapest.

This settlement shall be carried out at the time of the discussions with the Hungarian Government.

Article 62.

The final and aggregate outcome of the operation referred to in the preceding paragraph, whether such operation establishes a claim by the former associations and their employees and pensioners against the Institute, or a debt owed to that Institute, shall be transferred — after allocation — to the new organisation in the proportions mentioned in Article 47 above.

Article 63.

The final and aggregate value of the debts or claims mentioned in the preceding Article, as divisible between the territories concerned in the two States, shall be settled in accordance with the bilateral financial agreements concluded or hereafter to be concluded between Roumania and Hungary or between Yugoslavia and Hungary, as the case may be.

Article 64.

The two Governments shall jointly determine, on the basis of proposals by the new organisations concerned, the amount of the pensions payable in the future to pensioners retired either by the former associations or by the new up to December 31, 1929.

Article 65.

The wages of employees of the former associations who on December 31, 1929, were in the service of one of the new organisations, and also the pensions due upon their retirement shall be paid by those organisations.

Article 66.

The total sums arising out of the payment of the pensions, the amount of which is to be settled in accordance with the provisions of Article 64 above, shall be divided between the respective territories of the two States or between the new organisations, as the case may be, in the proportions laid down in Article 47 above.

Article 67.

Pending the settlement of the amounts of pensions due to pensioners in accordance with Article 65 above, the new organisations shall continue to pay the pensioners their pensions in the same manner and under the same conditions as such pensions have hitherto been paid.

Article 68.

The total amount of the pensions paid by the new organisations up to the date of the settlement of the new pensions in accordance with the provisions of Article 64 shall, after checking, be settled by the agents provided for in Article 69 below, and divided among the new organisations in accordance with Article 47 above.

Article 69.

The carrying out of the provisions of Articles 43-68 above shall be entrusted to agents appointed for that purpose by the two States who shall inform each other of the names and status of such agents.

Each State shall appoint as its representatives two agents, who shall be assisted by a representative of each new organisation set up in its territory.

The agents of the two States shall be supplied with identity cards and shall be entitled to get into personal touch with one another in the territory of either State and correspond with one another direct.

Any police and Customs formalities with which they may have to comply shall in their case be carried out in such a way as not to interfere with the execution of their duties.

Article 70.

The agents aforesaid, representing the two States, shall be permanently appointed to carry out the above provisions as regards all associations whose delimited area is crossed by the new frontier. The representatives of the new organisations who assist them shall be selected from among the staff of the organisation with which the settlement is to deal : they shall continue their work only so long as is required for the final settlement of questions in which their organisation is concerned.

Article 71.

The aforesaid agents shall set out the result of their work in a report which shall be drawn up in duplicate.

In the event of a difference of opinion, they shall confine themselves to a simple statement of the points concerning the execution of which they have not been able to agree.

These unsettled points shall be brought, for such action as may be desirable, to the notice of the delegates of the two States accredited to the C. R. E. D., which shall proceed in accordance with Chapter XI of the present Convention.

Article 72.

When the shares mentioned in Article 47 above have been settled, the agents mentioned in the preceding Articles, with the assistance of the technical and administrative staff of the new hydraulic organisations of the two States, shall proceed as follows :

(*a*) They shall first determine the area of the two parts of each parcel of land which is crossed by the new frontier line and is liable to the payment of contributions to the former associations.

When the area of the two parts of each former parcel of land has been independently determined by the technical and administrative staff of the two new organisations, the necessary corrections shall be made so as to make the combined areas of the two parts coincide exactly with the area of the former parcel of land crossed by the new frontier line ;

(*b*) After this operation has been completed, the aggregate area of all the parcels of land which are situate entirely within the territory of each of the two States and are liable to the payment of contributions towards the former associations, shall be computed, as also the aggregate area of the portions of the parcels of land crossed by the new frontier line and determined in accordance with paragraph (*a*) above.

(*c*) When in this manner the total area of the two parts of the delimited area of the former association within the territory of the two States has been determined, the exact amount of the shares provided for in Article 47 above shall be computed, due account being taken of these areas and also of other factors which in any way affected the determination of the contributions of those concerned in the former hydraulic associations.

Article 73.

The areas of the parts of the former parcels crossed by the new frontier, as determined in accordance with the provisions of paragraph (*a*) of the preceding Article, shall be declared official and shall be binding on all the competent authorities of the two States.

Article 74.

The two States shall ensure that their competent authorities give the agents mentioned above, free of charge, such aid and assistance as will facilitate the performance of their duties.

Article 75.

All material expenses incurred in the execution of this work shall be borne by the new organisations in the proportions settled in Article 47 above.

The expenses and remuneration of the agents mentioned in the preceding paragraphs shall be borne by their respective States.

Article 76.

The two States agree that the transfer of all movable property and of all other values whatsoever shall be effected free of all import charge or duty.

Article 77.

The two States undertake that the obligations imposed upon their respective territories as a result of the provisions of the preceding Articles shall be duly carried out.

Article 78.

The two States agree to enquire into the possibility of granting or of securing the grant of all facilities, consistent with their laws, to telegraphic or telephonic communications regarding hydrometrical and pluviometrical data of interest to the two States.

CHAPTER XIII.

FINAL PROVISIONS.

Article 79.

It is agreed that the word *accord* used in this Convention (French text) is synonymous with the term *entente* mentioned in Articles 292 and 293 of the Treaty of Trianon.

Article 80.

The High Contracting Parties reserve the right, at the expiration of a period of six years from the coming into force of the present Convention, on the request of either of them, to discuss the introduction of any amendments or additions thereto which experience has shown to be desirable.

Any such modifications or additions shall, however, not affect the provisions of Articles 292 and 293 of the Treaty of Trianon.

If no such request is made within a period of six months before its expiration, the present Convention shall automatically remain in force for a further period of six years, and so on.

Article 81.

The present Convention shall be ratified and the ratifications shall be exchanged at Bucharest. It shall come into force eight days after the date of the minute recording the exchange of the instruments of ratification.

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

Done in duplicate at Belgrade, December the fourteenth one thousand nine hundred and thirty-one.

(L. S.) Dr. V. MARINKOVITCH, *m. p.*

(L. S.) CONTZESCO, *m. p.*