

N° 3237.

COMMISSION
INTERNATIONALE
DU DANUBE, ROUMANIE
ET YOUGOSLAVIE

Accord relatif à la constitution des
services spéciaux aux Portes-de-
Fer, avec annexes et protocole final.
Signés au Semmering, le 28 juin
1932.

INTERNATIONAL
COMMISSION OF THE
DANUBE, ROUMANIA
AND YUGOSLAVIA

Agreement relating to the Setting-
up of Special Services at the Iron
Gates, with Annexes and Final
Protocol. Signed at Semmering,
June 28, 1932.

¹ TRADUCTION. — TRANSLATION.

No. 3237. — AGREEMENT² BETWEEN THE INTERNATIONAL COMMISSION OF THE DANUBE, ROUMANIA AND YUGOSLAVIA, RELATING TO THE SETTING-UP OF SPECIAL SERVICES AT THE IRON GATES. SIGNED AT SEMMERING, JUNE 28, 1932.

French official text communicated by the Permanent Delegate of the Kingdom of Yugoslavia accredited to the League of Nations. The registration of this Agreement took place August 8, 1933.

In execution of the provisions of the Convention³, signed at Paris on July 23, 1921, establishing the definitive Statute of the Danube and in order to set up by joint agreement the special technical and administrative Services provided for in Article XXXII of the said Convention, for the purpose of maintaining and improving conditions of navigation on the Section of the Danube between Turnu-Severin and Mondova-Veche, known as the Iron Gates and Cataracts Section,

Have decided to conclude an agreement for that purpose and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF YUGOSLAVIA :

M. Douchan PANTITCH, Counsellor of Legation, Substitute Delegate on the International Commission of the Danube ;

HIS MAJESTY THE KING OF ROUMANIA :

M. Constantin CONTZESCO, Minister Plenipotentiary, Delegate on the European and International Commissions of the Danube ;

THE INTERNATIONAL COMMISSION OF THE DANUBE, by unanimous decision of June 27, 1932 :

Admiral DIETRICH de Sachsenfels, Minister Plenipotentiary, Delegate of Hungary, President-in-Office of the International Commission of the Danube ;

Who, having exchanged their powers, found in good and due form, have agreed on the following provisions :

CHAPTER I.

SERVICES CONSTITUTING THE ADMINISTRATION OF THE IRON GATES AND CATARACTS.

Article I.

In execution of the provisions of Article XXXII of the Statute of the Danube, the technical and administrative Services hereinafter mentioned are hereby constituted in order to maintain

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 deposit of ratifications took place at Vienna, June 6, 1933.

Came into force July 1, 1933.

³ Vol. XXVI, page 173 ; and Vol. CXVII, page 55, of this Series.

and improve conditions of navigation on the Section of the Danube between Turnu-Severin and Mondova-Veche known as the Iron Gates and Cataracts Section :

- (1) A Public Works Service ;
- (2) A Navigation Service.

These Services shall be completed by :

- An Accountancy Office ;
- A Treasury.

Article 2.

This organisation shall be called the “ *Administration of the Iron Gates and Cataracts* ”. It shall have its headquarters at Orsova, without prejudice to any auxiliary services which if necessary may be established at other points of the Section.

Article 3.

A chief directly responsible for the affairs of his department shall be placed at the head of each of the above-mentioned four organs of the Administration.

CHAPTER II.

COMPETENCE OF THE ORGANS OF THE ADMINISTRATION.

Article 4.

The Chief of the Public Works Service shall be in charge of the management or supervision of conservancy work and in general, the management or supervision of all work for maintaining and improving the navigability of the Section, in so far as the execution of new public works is not provided for by special measures decided on by joint agreement between the riparian States of the Section and the Commission.

The Chief of the Public Works Service shall further be in charge of the buoyage service and the technical management of the premises and floating or other material placed at the disposal of the Administration.

Article 5.

The Chief of the Navigation Service shall, subject to the provisions of Chapter VII of the present Agreement concerning navigation police services, be in charge of the supervision of navigation and the management of pilotage and all other services intended to ensure or facilitate the technical exercise of navigation.

Article 6.

The Chief of the Accountancy Office shall be in charge of the accounts of the Administration and the movement of funds.

Article 7.

The Chief of the Treasury shall be in charge of the receipt of navigation dues and other revenue of the Administration and all other Treasury transactions.

Article 8.

The Working Regulations shall define in detail the competence of the organs of the Administration as above defined, and any additional functions that may be given them.

Article 9.

The competence of the organs of the Administration as above defined shall not cover, in ports and on the banks of the Section, any measures concerning the policing, in the strict sense of the word, of the ports and banks, or measures concerning the working of ports, or any public works of local interest not concerning or affecting the general interests of navigation, or works necessary for the economic development of the riparian States of the Section, as referred to in the Article XIV, first paragraph, of the Statute of the Danube.

CHAPTER III.

RELATIONS OF THE ORGANS OF THE ADMINISTRATION WITH THE COMMISSION AND WITH EACH OTHER.

Article 10.

The Commission shall decide, on proposals made by the Chiefs of the competent organs of the Administration, what measures may be desirable for the maintenance and improvement of the navigability and for the administration of the Section.

The Commission may also ask the said Chiefs to make proposals.

Article 11.

The proposals mentioned in Article 10 above may be put into force only if previously approved by the Commission. Nevertheless, in matters in which immediate action is necessary, such action may be taken, subject to the subsequent approval of the Commission.

Article 12.

The execution of the Commission's decisions shall devolve upon the competent organs of the Administration, the chiefs of which shall be directly responsible to the Commission for the affairs of their respective departments.

The Commission shall supervise the carrying out of its decisions and the working of the Administration in general. For that purpose the Commission shall keep a representative on the spot whenever and for such time as it may deem necessary.

Such representative shall act as the agent through whom all communications between the Commission and the Administration must be sent.

Article 13.

The Special Regulations provided for in Article XXXIII of the Statute of the Danube shall govern the working of the organs of the Administration, and their relations with the Commission, so that :

 Their chiefs shall keep each other acquainted with the affairs of their respective departments ;

They shall communicate their proposals to each other before forwarding them to the Commission ;

They shall ask for the competent opinion of the other chiefs concerned on the proposals which they submit to the Commission.

CHAPTER IV.

STAFF OF THE ADMINISTRATION.

Article 14.

Without prejudice to the provisions of Article 18, the staff of the Administration, including the permanent staff of workshops, building yards and other similar technical establishments, shall be supplied and appointed by the two riparian States of the Section, so that within these services the officials appointed by each of them are equal in number and equal in the importance of the posts which they hold.

It is understood, however, that should new posts be created or existing posts be abolished on account of the requirements of the service, the Commission shall see that in the application of the said measures the principle of equality as between the two riparian States of the Section shall only temporarily be disregarded.

The chiefs of the Works and Navigation Services shall be placed on a footing of complete equality in respect of their rank and financial position.

The same shall apply to the Chief of the Accountancy Office and the Chief of the Treasury.

Article 15.

The Commission shall arrange the composition of the permanent staff. It shall fix the salaries of the said staff and shall determine either, on the basis of their length of service with the Iron Gates Administration, the lump sums to be given to employees leaving the service of that Administration at the end of a minimum number of years of service or the procedure by which certain categories of the staff could be insured with a pensions fund.

Article 16.

The appointment by each of the two riparian States of the Section of the chiefs appointed by it as enumerated in Article 14 above shall be subject to previous approval by the Commission.

Article 17.

When choosing the holders of the various posts on the permanent staff of the Administration, the Governments of the two States shall take account solely of the personal capacity of the candidates, ensuring them at the same time all possible stability in their duties free from any influences unconnected with navigation.

Once appointed by the Government of either of the riparian States of the Section, all officials without exception belonging to the Services are placed exclusively at the disposal of the Administration, and shall be free, in respect of the exercise of their duties under the Administration, from any interference, either direct or indirect, from the territorial authorities of the riparian States of the Section.

The right to dismiss such employees shall be vested in the Government of the riparian State of the Section which has appointed them. Dismissal shall be decided upon by the Government, either on its own initiative or in response to a reasoned request submitted by the Commission, if necessary after enquiry. In the first case the Commission shall be previously notified of the reason for dismissal.

Article 18.

Pilots on probation, and pilots belonging to the official pilotage service, and the chief pilot, shall form part of the staff of the Administration.

The post of chief pilot shall be awarded by the Commission, after having examined the reasoned proposals of the Administration, without distinction being made on the ground of nationality, to the best qualified candidate, who shall be chosen on the result of a competition open both to official and private pilots and to river and maritime navigators, preference being given as between candidates with equal qualifications, to pilots belonging to the official pilotage service, and among them to the senior candidate.

The documents appointing such officials shall be an employment contract for pilots on probation, a pilot's certificate for pilots and a letter of appointment for the chief pilot, such documents being issued by the Administration under the conditions laid down by the Working Regulations referred to in Article 13 above.

Article 19.

The Working Regulations shall lay down in detail the qualifications to be required from candidates for the examination for appointment to posts of pilots on probation, to be promoted later to posts of certificated pilots.

Persons of any nationality shall be eligible for appointment as pilots on probation and certified pilots. Nevertheless the recruiting of pilots on probation shall be so regulated that as far as possible half the number of posts of pilots, account being taken of the post of chief pilot, shall be reserved equally for nationals of each of the two riparian States of the Section.

Ignorance of the official languages of the Administration shall not invalidate any person for admission to the examination either for the post of pilot on probation or to test his capacity as a pilot. No candidate applying for admission to the examination for pilot on probation and complying with the conditions laid down by the Working Regulations may be debarred from taking the said examination unless a decision to the contrary be taken by the Commission.

The Working Regulations shall lay down the penalties applicable for neglect of the duties of pilots belonging to the official pilotage service and shall also determine in what circumstances a pilot's certificate may be withdrawn.

A representative of the Commission shall be present at the proceedings of the examining committees.

Article 20.

Subject to the conditions laid down below, shipowners shall be allowed the option of having their vessels piloted by private pilots in their pay. Such pilots shall be allowed to pilot only the vessels of the undertaking or group of undertakings by which they are employed.

Candidates for the post of private pilot must show that they have the good character and physical fitness and the qualifications required of official pilots.

The Working Regulations shall prescribe by what procedure the Administration shall issue the certificate for a private pilot to persons having the necessary qualifications.

The Regulations shall state the duties of private pilots towards the Administration and the penalties to which they are liable for neglect of such duties, and also the circumstances in which their certificate may be withdrawn.

Once they have received their certificate, private pilots shall receive from the Administration all facilities and all information necessary for the exercise of pilotage in the Iron Gates and Cataracts Section.

Article 21.

The Chiefs of the Navigation Service, the Public Works Service, the Accountancy Office and the Treasury shall, when entering their service, give in writing, in the terms of Form I hereto annexed, an undertaking on their honour to carry out their duties in accordance with the decisions of the Commission and in a spirit of strict impartiality.

The Commission hereby entitles each of the Delegates of the riparian States of the Section to receive and transmit to the Commission the undertakings of such of its officials as his Government shall appoint.

The same undertaking shall be given by all officials. Each of the chiefs mentioned in the first paragraph of the present Article shall be empowered to receive, in the terms laid down in Form II, hereto annexed, an undertaking from the officials placed under his orders and to transmit it to the Commission.

Article 22.

Order and discipline within the Administration shall be maintained in accordance with the Working Regulations provided for in Article 13.

Article 23.

During his service no official shall by reason of his official duties be exempt from the military obligations imposed by the laws of his country.

Article 24.

In so far as its duties permit, the staff of the Administration may reside on either bank of the Section.

Nevertheless, save in the case of service requirements, of which the Commission shall be sole judge, this privilege shall not be granted to officials carrying out their duties in the territory of the State of which they are nationals.

CHAPTER V.

PLANS AND EXECUTION OF WORKS.

Article 25.

The study of the hydrological regime of the Section shall be carried out by the Administration without prejudice to the functions of the national hydraulic services.

Information collected from both sides shall be exchanged between the Administration and the competent authorities of the riparian States of the Section.

The Working Regulations shall determine by what procedure this exchange shall take place.

Article 26.

The Administration shall be responsible for the technical study and the preparation of schemes of work for maintenance and current work for the improvement of the navigability of the Section.

The technical study and the preparation of schemes of large-scale improvement work for the purpose of modifying or perfecting the present conservancy system of the Section, where such

schemes require a fresh capital outlay, may be undertaken either by the two riparian States of the Section, or by the Administration, or on the initiative of the Commission. Studies undertaken on the initiative of the Commission or by persons not belonging to the Administration may be carried out on the spot, subject to the observance of the general police regulations and of special provisions affecting the security of the countries concerned.

Schemes prepared by the riparian States of the Section under the previous paragraph, including plans, estimates and all other details connected with the technical and financial procedure for their execution, shall be jointly submitted by the two riparian States of the Section for approval by the Commission.

Should an agreement between the riparian States of the Section for the submission of joint proposals not be reached, each State may submit a separate scheme. In such cases the Commission, before taking a decision, should ask the opinion of the other riparian State of the Section.

The Commission shall ask the opinion of the two riparian States of the Section in the case of public works schemes not emanating from those States. In all its decisions concerning public works the Commission shall take into account the technical, economic and financial interests of the two riparian States of the Section.

Article 27.

In cases in which, for the purpose of carrying out new public works intended either to complete or to modify the present system of public works, it is necessary to make use of portions of the territory of either or both of the riparian States of the Section, the Commission shall reach agreement with the State concerned, or with both States, as the case may be, on the conditions under which this territory will be so utilised.

Article 28.

The execution of the maintenance and current improvement works referred to in Article 26, paragraph 1, above, shall devolve upon the Administration. Should the Administration not be able to carry out such work, the Commission may make other arrangements. The execution shall then be entrusted to the riparian States of the Section, jointly or separately as circumstances may require, unless the terms they offer be less advantageous than any that may be offered from other quarters.

In the case of large-scale improvement works, as provided for in Article 26, paragraph 2, the Commission shall decide in each individual case by whom and how such work shall be carried out. Nevertheless it is hereby understood that :

(1) The two riparian States of the Section shall have right of priority should they desire to undertake such work ;

(2) In such cases a special agreement shall be concluded between them and the Commission stipulating the material and financial conditions for the execution of the work, including the procedure by which exemption from Customs duties may be granted ;

(3) Neither of the riparian States of the Section, nor any other State, may be entrusted with the execution of such work without the assent of the State in whose territory the work is to be carried out.

Article 29.

The gangs of workmen employed on hydraulic or other work shall, unless otherwise specially agreed between the Governments of the two riparian States of the Section, be recruited in accordance with the laws in force in the State in whose territory the work in question is carried out.

Nevertheless, if such work is carried out on the river, simultaneously in the territory of the two riparian States of the Section, near the frontier, and if for practical and technical reasons the work cannot be divided up according to the frontier, the gangs of workmen shall be recruited as far as possible equally from both riparian States of the Section.

CHAPTER VI.

EXEMPTION FROM CUSTOMS DUTIES—SUPPLIES.

Article 30.

The two riparian States of the Section shall allow entry free of duty into their territory in respect of materials and plant which are necessary either for the requirements of the Administration or for the execution of public works or parts of public works which are paid for solely out of navigation dues.

Should the works be carried out by a contractor, an agreement shall be concluded between the Governments of the riparian States of the Section and the Commission in order to determine the procedure for the importation free of duty of machines, tools, materials or plant which the contractor may notify to the Administration as requiring to be imported into the territory of either State.

The above provisions shall not affect those of Article 28.

Article 31.

Contracts for supplies of all kinds necessary for the purposes mentioned in Article 30, first paragraph above, shall, as a general rule, be placed with the contractors who make the most advantageous offers when the contract is put up to public tender.

Nevertheless, a right of preference shall be accorded to contractors who are nationals of either of the riparian States of the Section, on condition that the difference between their tenders and the most advantageous tenders does not exceed 10 per cent for work of the same quality.

If supplies are offered on the same terms by contractors nationals of either of the riparian States of the Section, the contracts shall as far as possible be divided equally between the contractors in question.

CHAPTER VII.

SUPERVISION AND POLICING OF NAVIGATION.

Article 32.

The special provisions concerning navigation in the Iron Gates and Cataracts Section shall be drawn up by the Commission on the proposal of the Administration. They shall be promulgated by the riparian States in their respective territories, and shall form part of the Annex to the Regulations for the Policing of Navigation.

Article 33.

The Administration which, under Article 5 of the present Agreement, is in charge of the supervision of navigation shall notify to the riparian authorities in charge of the policing of navigation any contraventions of which it may take cognisance through its own organs, placing at the disposal of the said authorities any information which it has been able to obtain.

The Administration shall further report to the said authorities any irregularity requiring action on their part, and any damage caused to the equipment, buildings or installations placed at its disposal.

The competent officials of the Administration shall be solely responsible for seeing that navigators carry out the obligations imposed by the Annex to the Regulations for Policing of Navigation and regulating the passage of vessels through the Section, and the said employees shall for that purpose have the right to take action on board vessels.

Article 34.

The riparian authorities responsible for the policing of navigation shall take action on board vessels only when they themselves find that a contravention has been committed, or when they are summoned by the organs of the Administration to note the facts and report them.

The official instructed to do so shall confine himself to making out the report, which he shall forward to the competent riparian authority to be used for the opening of an enquiry.

In the report he shall, before any other facts which may have come to his notice, set forth the facts ascertained by the official of the Administration.

Should no report have been made out, the riparian authorities shall open the enquiry into the case as soon as they receive the information collected by the official of the Administration who reported the contravention.

Such official shall if necessary be heard by the said authorities.

Article 35.

The enquiry into and prosecution in respect of contraventions reported to the competent riparian authorities, whether by the Administration or by the river police services or in any other manner, direct or indirect, and the settlement of legal cases, whether civil or criminal, arising out of the exercise of navigation, shall devolve exclusively upon the said authorities of the riparian States of the Section.

The authorities shall communicate monthly to the Administration a table showing all legal decisions which have become final and cases dismissed by them.

Article 36.

The competent riparian authorities shall take action on their own initiative or render assistance to the organs of the Administration, at their request, whenever an irregularity has to be stopped.

Within the limits of the sovereignty of the respective States, the competent riparian authorities and the vessels commissioned by each of the riparian States of the Section for the policing of navigation shall take action in case of need, either at the request of the Administration or on their own initiative, should the circumstances require immediate action.

Article 37.

The officials of the Section shall not be vested with any of the powers held by the officers of the judicial police.

Pilots may act only in their capacity as officials of the river police.

Article 38.

The two riparian States of the Section shall inform the Commission of the procedure by which, on the basis of the Commission's views, they will settle the allocation of their competence to prosecute for contraventions and the action to be taken by their authorities.

CHAPTER VIII.

FINANCIAL CLAUSES (NAVIGATION DUES).

Article 39.

The Commission shall prepare the yearly budget of the Administration.

It shall take decisions as to any dues or other sources of revenue intended to provide for measures to promote the maintenance or improvement of navigability or the administration of the Section, without the Governments represented being thereby rendered liable to make financial contributions.

Article 40.

The Commission shall determine the method of levying dues, the proceeds of which shall be utilised first for the payment of the expenses of the Administration and for maintenance and improvement work, and secondly for meeting such financial obligations as have been or may hereafter be contracted by the Commission for carrying out the said work, such as that resulting from the Agreement signed by the Commission at Paris on April 27, 1927.

Article 41.

The funds of the Administration shall as a general rule be placed in the financial establishments of the two riparian States of the Section, shall be controlled by the State, and, as far as possible, equally in the two riparian States of the Section.

Deposits shall in all cases be received in the currency fixed by the Commission, and interest shall be payable in the currency in which the deposit is made.

CHAPTER IX.

RECOURSE TO LAW.

Article 42.

The Administration shall have competence to be a party to legal proceedings either as plaintiff or as defendant in all suits connected with movable or immovable property under its management.

In the case of legal proceedings in connection with immovable property, the courts of law within whose area the immovable property is situated shall have jurisdiction.

Legal proceedings connected with movable property brought against the Administration shall, in the absence of contractual provisions to the contrary, be brought, when the plaintiff is domiciled in Roumanian or Yugoslav territory, before the competent authorities of the State in question, and when the plaintiff is domiciled in another State, before the competent authorities of the headquarters of the Administration.

Article 43.

The Commission, to which the Administration shall communicate without delay legal decisions concerning it, shall make provision for the financial consequences of the said decisions out of the normal budgetary resources of the Administration.

Article 44.

The Administration's equipment, buildings and installations, material and supplies, the debts due to it and its cash in hand or at the bank, shall not be liable to seizure.

Article 45.

No legal proceedings may be brought against the Administration in respect of any damage suffered by vessels while passing through the Iron Gates and Cataracts Section.

Article 46.

Each of the two riparian States of the Section shall, through its authorities and in accordance with its laws, render assistance and protection to ensure the verification and recovery of damage caused to equipment, buildings or installations, supplies, material or funds at the disposal of the Administration.

The Commission shall, if necessary, take action to obtain for this purpose the assistance of the competent authorities of other States.

CHAPTER X.

FACILITIES GRANTED BY THE RIPARIAN STATES OF THE SECTION.

Article 47.

Suitable measures determined by agreement between the Commission and the two riparian States of the Section shall be taken by each of the two riparian States of the Section in its own territory in order that both in the case of residence and for passage and free movement on the river banks the necessary facilities shall be granted to the staff of the Administration and to private pilots in the exercise of their duties.

The two riparian States of the Section agree to grant to the staff of the Administration in their territories any other facilities which may be desirable for the exercise of their duties.

These facilities shall also be determined by agreement between the two riparian States of the Section and the Commission.

Article 48.

The Governments of the two riparian States of the Section shall grant all possible facilities to the Administration for the use of their telegraph and telephone services for the requirements of the Section, each retaining control thereof in its own territory.

CHAPTER XI.

FLAG AND OFFICIAL LANGUAGES.

Article 49.

The Administration shall display on its buildings, and on the vessels constituting the fleet placed at its disposal, only a distinctive sign consisting of a rectangular or triangular pennant composed of the colours of the Commission and of the two riparian States of the Section and bearing in the centre the letters A P F, in accordance with the models hereto annexed.

The seal of the Administration shall bear the inscription " Administration of the Iron Gates and Cataracts ".

The badge to be worn by the officials of the Administration and in particular by the official pilots shall be prescribed by the Working Regulations.

Article 50.

The official languages of the Administration shall be Roumanian, Serb-Croat and French.

The use of other languages shall not be excluded.

The Working Regulations shall settle details connected with the use of languages.

CHAPTER XII.

MANAGEMENT OF MATTERS CONNECTED WITH THE IRON GATES AND CATARACTS SECTION.

Article 51.

In order to ensure the speedy settlement of matters falling within the competence of the Administration, there shall be set up within the Commission a Special Committee composed of three or at most of four delegates, among whom the representatives of the riparian States of the Section must be included, the other member or members being appointed by the Commission under the conditions laid down by its Rules of Procedure.

Article 52.

The duties of the Committee provided for in Article 51 shall be, in all matters relating to the management of the Iron Gates and Cataracts Section :

- (1) To conduct an enquiry into the said affairs ;
- (2) To take a decision :
 - (a) In matters relating to current administration ;
 - (b) In cases requiring urgent settlement.

Article 53.

The decisions of the Special Committee must be unanimous.

Should it be impossible to obtain unanimity, the question must be brought before the Executive Committee, which, if necessary, will be convened for an urgent meeting.

Article 54.

The Rules of Procedure of the Commission shall govern the working of the Special Committee and its relations with the Executive Committee. All the decisions of the Special Committee shall be communicated to the Executive Committee.

Article 55.

Before a decision is taken in the Executive Committee or in plenary session with regard to the administration of the Section and the work to be carried out on the Section, the two Delegates of the riparian States of the Section shall be given an opportunity of stating their views.

CHAPTER XIII.

EMBARKATION STATIONS OF PILOTS.

Article 56.

The stations at which pilots embark and land shall be maintained, established or abolished by the Commission by arrangement with the riparian State concerned and in accordance with the requirements of traffic, so as to afford possibilities of embarkation and landing on both banks.

CHAPTER XIV.

EQUIPMENT, BUILDINGS AND INSTALLATIONS.

Article 57.

As soon as the present Agreement comes into force, the provisional control exercised by the International Commission of the Danube under Article 288 of the Treaty of Trianon over the use of equipment, buildings and installations provided for in that Article shall come to an end.

The equipment, buildings and installations shall immediately be placed at the disposal of the Administration in accordance with Article XXXIII of the Statute of the Danube.

An official record of this operation shall be drawn up and there shall be annexed thereto a detailed inventory made out on the spot in three originals in the presence of the members of the Special Committee provided for in Article 51.

The inventory shall also indicate the amount of cash in hand and at the bank, the vouchers and books relating to financial management, and the archives and all furniture and material in the offices, workshops and buildings.

Article 58.

The equipment, buildings and installations placed at the disposal of the Administration shall continue as in the past to be used exclusively for the benefit of navigation, and may not be diverted from their original purpose for the individual use of either of the riparian States of the Section. They shall be exempt from any tax on real property and from all other fiscal taxes or dues.

Article 59.

The new property, movable and immovable, acquired by the Administration from the proceeds of dues shall be entered in the inventory and shall be subject to the same legal regime as the property previously acquired.

Article 60.

Should any property, movable or immovable, placed at the disposal of the Administration be sold, it shall be struck out of the inventory, and the proceeds of the sale of such property shall be placed to the credit of the Administration.

CHAPTER XV.

CONTROL AND SUPERVISION BY THE COMMISSION.

Article 61.

In addition to the rights mentioned in the present Agreement and acknowledged as appertaining to the Commission under Articles XXXII and XXXIII of the Statute of the Danube, the Commission shall exercise in the Iron Gates and Cataracts Section to the same extent as at all other points of the river system under its control all rights of supervision and control conferred upon it by the other provisions of the Statute.

CHAPTER XVI.

TRANSITIONAL CLAUSES.

Article 62.

In so far as the existing staff is replaced, the new staff shall succeed the former staff gradually so as not to impair the normal working of the various Services of the Administration. This gradual replacement shall be spread over a period of eighteen months from the seventh month following the coming into force of the present Agreement. The procedure by which this operation is to be carried out shall be determined as soon as this coming into force takes place by the Special Committee provided for in Article 51 on the suggestions of the Governments of the riparian States of the Section.

Article 63.

The provisions of the previous Article shall not apply to pilots, who need not be replaced unless they do not comply with the conditions laid down in the Working Regulations of the Administration.

Article 64.

Any employee of the former Iron Gates Navigation Service having to resign his post shall be given not less than six months' notice to that effect by the Special Committee provided for in Article 51.

Any official of the former Service whose replacement has not been provided for and who does not resign his post on the entry into force of the present Agreement must give at least two months' notice should he later desire to resign.

Article 65.

The pensions system of officials of the former Hungarian State Service shall continue under the conditions laid down in the Commission's resolution dated June 22, 1929, as modified on June 28, 1932.

CHAPTER XVII.

SETTLEMENT OF DISPUTES.

Article 66.

The competent jurisdiction for the settlement of disputes as to the interpretation and application of the present Agreement shall be the special tribunal set up for that purpose by the League of Nations and mentioned in Article XXXVIII of the Statute of the Danube.

CHAPTER XVIII.

REVISION.

Article 67.

No change in the present Agreement may be made otherwise than under the conditions provided for in Article XXXII of the Statute of the Danube providing for the conclusion of the present Agreement.

Any request for a modification made by one of the Parties must specify what clauses it considers require revision and may not be examined until six months after it has been communicated to the other two Parties.

On the expiry of a period of five years from the coming into force of the present Agreement its text must be reconsidered with a view to revision.

CHAPTER XIX.

RATIFICATION AND COMING INTO FORCE.

Article 68.

The present Agreement shall be ratified by the two riparian States of the Section and the ratifications shall be deposited with the Office of the International Commission of the Danube as soon as possible and not later than February 1, 1933.

The official record of the deposit of ratifications shall be forwarded to the Government of the French Republic to be deposited in its archives.

Article 69.

The present Agreement and the regulations and agreements provided for in Articles 8, 13, 38 and 47 shall come into force as from July 1, 1933.

In faith whereof the undermentioned Plenipotentiaries have signed the present Agreement, made out in a single original copy, which shall be deposited in the archives of the French Republic; a certified copy shall be given to each of the two signatory Powers and to the International Commission of the Danube.

Done at Semmering, June 28, 1932.

(L. S.) (*Signed*) D. PANTITCH.
(L. S.) (*Signed*) Const. CONTZESCO.
(L. S.) (*Signed*) DE DIETRICH.

ANNEX I

TO THE AGREEMENT ON THE SETTING-UP OF SPECIAL SERVICES AT THE IRON GATES.

FORM FOR UNDERTAKING ON WORD OF HONOUR

FORM I.

I, the undersigned

.....

undertake on my honour, in the presence of M.

.....

Delegate of

on the International Commission of the Danube, authorised for that purpose by the said Commission, to carry out the duties of

in accordance with the decisions of the International Commission of the Danube and in a spirit of strict impartiality.

FORM II.

I, the undersigned

.....

undertake on my honour, in the presence of M.

.....

Chief of

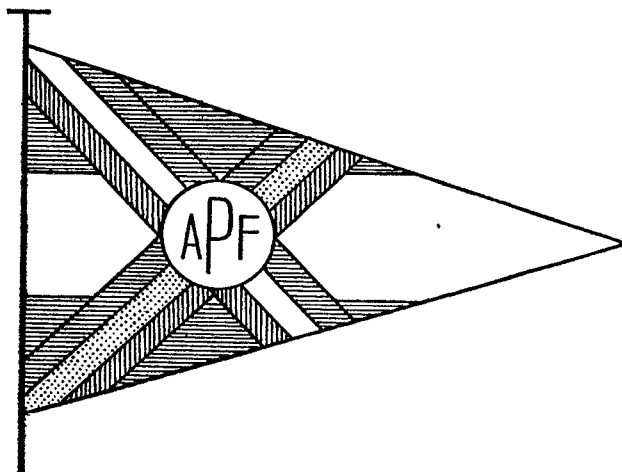
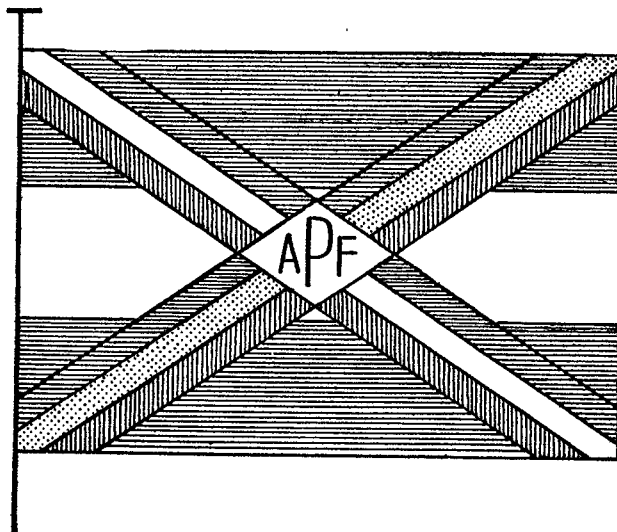
of the Iron Gates and Cataracts Administration, empowered for that purpose, to carry out the duties of





in accordance with the decisions of the International Commission of the Danube and in a spirit of strict impartiality.

ANNEX II

TO THE AGREEMENT ON THE SETTING-UP OF SPECIAL SERVICES AT THE IRON GATES.

DISTINCTIVE MARKS OF THE IRON GATES AND CATARACTS ADMINISTRATION.



-  Azure = blue
-  Gule = red
-  Gold = yellow
-  Silver = white

FINAL PROTOCOL.

When proceeding to the signature of the present Agreement, the undersigned Plenipotentiaries have agreed on the following provisions :

Ad Article 2.

The headquarters of the Administration shall remain at Orsova, and the Public Works Service shall be established at Tekija in a building which the Yugoslav Government shall cause to be constructed at its own expense and which it shall place at the disposal of the said Service free of charge.

Such building shall be granted the same rights, privileges, and fiscal exemptions as those which at present apply or may hereafter apply to the Orsova premises, and it may not be used for any other purpose. The new building shall display under the same conditions as the Orsova building the distinctive insignia of the Administration, which shall be in charge of the maintenance thereof.

The Public Works Service shall be established in the new building as soon as the Yugoslav Government has notified the Administration that the building, which shall be constructed as soon as possible, is ready for occupation.

Ad Article 12.

It is understood that the post of the representative provided for in Article 12 shall be filled in turn by the Councillors (*référéndaires*) of the General Secretariat of the Commission during the first five years after the coming into force of the present Agreement. The situation shall be examined afresh on the expiry of that period when the text of the Agreement is reconsidered as provided in Article 67.

In faith whereof the Undersigned have drawn up the present Protocol, which shall have the same force and duration as the Agreement to which it refers.

Done at Semmering, June 28, 1932.

(L. S.) (*Signed*) D. PANTITCH.
(L. S.) (*Signed*) Const. CONTZESKO.
(L. S.) (*Signed*) DE DIETRICH.