

N° 3378.

**ROUMANIE
ET YOUGOSLAVIE**

Accord concernant l'application de
la Convention relative au régime
des propriétés situées dans la zone
frontière, du 5 juillet 1924. Signé
à Beograd, le 11 mars 1933.

**ROUMANIA
AND YUGOSLAVIA**

Agreement regarding the Application
of the Convention of July 5th,
1924, concerning the Regime to
be applied to Estates situated in
the Frontier Zone. Signed at
Belgrade, March 11th, 1933.

¹ TRADUCTION. — TRANSLATION.

No. 3378. — AGREEMENT² BETWEEN THE KINGDOM OF ROUMANIA AND THE KINGDOM OF YUGOSLAVIA REGARDING THE APPLICATION OF THE CONVENTION OF JULY 5TH, 1924, CONCERNING THE REGIME TO BE APPLIED TO ESTATES SITUATED IN THE FRONTIER ZONE. SIGNED AT BELGRADE, MARCH 11TH, 1933.

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 March 3rd, 1934.

HIS MAJESTY THE KING OF YUGOSLAVIA
and

HIS MAJESTY THE KING OF ROUMANIA,

Being desirous of concluding a settlement between the Kingdom of Yugoslavia and the Kingdom of Roumania in the matter of the execution of the Convention concerning the regime to be applied to estates situate in the frontier zone,

Have resolved to conclude an Agreement with this object, and have appointed as their respective Plenipotentiaries :

HIS MAJESTY THE KING OF YUGOSLAVIA :

Monsieur Bogoljub D. JEVTIĆ, Minister for Foreign Affairs ;

HIS MAJESTY THE KING OF ROUMANIA :

Monsieur Alexandre N. IAKOVAKY, Minister Plenipotentiary, Director at the Ministry of Foreign Affairs, Bucharest ;

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

Article 1.

The two Contracting Parties are agreed that the provisions of the Convention of July 5th, 1924, shall be applicable only to such nationals of either Contracting Party as on July 5th, 1924, being domiciled in the frontier zone of one Contracting Party, were the owners of an estate in the frontier zone of the other Contracting Party.

Article 2.

Article 3 of the Convention of July 5th, 1924, entitles the nationals of both Contracting Parties, notwithstanding anything otherwise provided in the agrarian legislation applicable to the territory

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, September 26th, 1933.

of the country in which their estate is situate, to retain an area of 50 cadastral yokes (*jutra*) of arable land, meadow, garden, kitchen garden, orchard and/or vineyard, or up to 100 cadastral yokes (*jutra*), provided the rest is all pasture.

Article 3.

The two Contracting Parties, having regard to the fact that Article 3 of the Convention of July 5th, 1924, entitles the owners of estates situate in the frontier zone to retain the areas of land specified in the said Article, are agreed that where the authorities in charge of the application of the agrarian legislation, in erroneous interpretation of the said Convention, have had no regard to the said owners' right to the areas of land specified in the Convention, restitution shall be made to them of that area of land to which they were entitled according to the quality and nature of the land.

Article 4.

The two Contracting Parties are agreed that, where restitution of the land in kind is not possible, the current effective (*i.e.*, commercial) price of the land shall be paid to the owners in respect of areas not exceeding 50 yokes (*jutra*) of arable land, etc., and 100 yokes (*jutra*) of pasture.

For land expropriated over and above that which the owner was entitled to retain under Article 3 of the Convention of July 5, 1924, it is understood that he shall receive the lawful price laid down in the agrarian legislation relevant to his case.

The two Contracting Parties are further agreed to compensate each owner for the loss of the usufruct of his land from the day on which he is dispossessed of the same to the day on which payment is made in respect thereof.

Article 5.

For purposes of the execution of the present Agreement, the two Contracting Parties are agreed, within one month of the date of the entry into force of the said Agreement, to set up a Mixed Commission composed of two members, one for each country, each of whom shall be entitled to have the assistance of one expert.

Article 6.

The Mixed Commission shall establish on the spot, in the case of all claims alleging faulty application of the Convention of July 5th, 1924, whether the claimant complies with the conditions laid down in the Convention, as also whether or no he has been left the area of land specified in Article 3 of the Convention.

Where he has not been left the area of land specified in the Convention, the Mixed Commission shall decide as to the extent of the area still due to him which is to be restored to him in kind.

Where restitution in kind is not possible, the Commission shall determine the current effective (*i.e.*, commercial) price, having regard for purposes of the calculation of the same to such considerations as records of sales in the locality, the land registers, current rent charges, the nature and quality of the soil, and any other data.

The Commission shall at the same time determine the date of dispossession and annual loss of usufruct on which the land-owner is entitled to claim, having regard to the current level of rents in the locality.

Article 7.

The Commission shall complete its work within one month from the date on which it is constituted, and shall thereupon transmit its Minutes, records and reports to the competent authorities of the two countries.

Article 8.

In the event of a difference of opinion between the members of the Mixed Commission, the two Governments shall come to an amicable solution.

Article 9.

The two Governments undertake to restore the land or to pay the price thereof, together with compensation for loss of usufruct, within one month of the date on which the Mixed Commission submits its conclusions.

The sums necessary for these payments shall be remitted by the two Governments to one another, each assuming responsibility for the distribution to its own nationals of the amounts determined by the Mixed Commission.

Article 10.

The two Governments are agreed that, after the Mixed Commission has completed its work, they will not put forward or support any claim against one another in this connection.

Article 11.

The two Contracting Parties are agreed that the Convention of July 5th, 1924, is to be interpreted as being without prejudice to the agrarian legislation of the two countries, save only in respect of the area of land to be left to land-owners in the frontier zone under Article 3 of the Convention.

All other provisions of the agrarian legislation shall continue to apply, notwithstanding anything contained in the Convention.

Article 12.

The present Agreement shall be ratified at the earliest possible date and shall come into force immediately after the exchange of the instruments of ratification.

In faith whereof the respective Plenipotentiaries have signed the present Agreement.

Done at Belgrade in duplicate, March 11th, one thousand nine hundred and thirty-three.

(L. S.) B. D. JEVTIĆ, *m. p.*

(L. S.) Alexandre N. IACOVAKY, *m. p.*