

## ROUMANIE ET YOUGOSLAVIE

Convention concernant les archives intéressant les territoires attribués au Royaume de Roumanie et au Royaume de Yougoslavie par le Traité de paix de Trianon et par le Protocole établissant le tracé définitif de la ligne frontière entre le Royaume de Roumanie et le Royaume de Yougoslavie, signé le 24 novembre 1923, à Belgrade, avec annexes. Signées à Beograd, le 30 janvier 1933.

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## ROUMANIA AND YUGOSLAVIA

Convention regarding the Archives relating to the Territories awarded to the Kingdom of Roumania and to the Kingdom of Yugoslavia by the Treaty of Peace of Trianon and by the Protocol establishing the Final Demarcation of the Boundary Line between the Kingdom of Roumania and the Kingdom of Yugoslavia, signed on November 24th, 1923, at Belgrade, and Annexes. Signed at Belgrade, January 30th, 1933.

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

No. 3371. — CONVENTION<sup>2</sup> REGARDING THE ARCHIVES RELATING TO THE TERRITORIES AWARDED TO THE KINGDOM OF ROUMANIA AND TO THE KINGDOM OF YUGOSLAVIA BY THE TREATY OF PEACE OF TRIANON AND BY THE PROTOCOL ESTABLISHING THE FINAL DEMARCATION OF THE BOUNDARY LINE BETWEEN THE KINGDOM OF ROUMANIA AND THE KINGDOM OF YUGOSLAVIA, SIGNED ON NOVEMBER 24TH, 1923, AT BELGRADE. SIGNED AT BELGRADE, JANUARY 30TH, 1933.

*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 March 3rd, 1934.*

HIS MAJESTY THE KING OF YUGOSLAVIA  
and

HIS MAJESTY THE KING OF ROUMANIA,

Desirous of effecting a settlement, between the Kingdom of Yugoslavia and the Kingdom of Roumania, of the question of the archives relating to the territories awarded to the Kingdom of Yugoslavia and to the Kingdom of Roumania by the Treaty of Peace of Trianon and by the Protocol establishing the final demarcation of the boundary line between the Kingdom of Yugoslavia and the Kingdom of Roumania, signed on November 24th, 1923, at Belgrade,

Have decided to conclude a Convention for that purpose 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. IACOVAKY, Minister Plenipotentiary, Director at the Ministry of Foreign Affairs at Bucharest ;

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

*Article 1.*

The two Contracting Parties undertake to exchange the archives and other written matter falling within the scope of the following Articles of the present Convention, which belong to civil, military

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

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

<sup>2</sup> The exchange of ratifications took place at Bucharest, September 26th, 1933.

financial, judicial and other administrations of the former Hungarian territories transferred to the two Contracting Parties in consequence of the Treaty of Peace of Trianon and which are at present in the territory of one of the said Parties and are of concern to the other Party.

The question of archives or other documents which are of importance for the national history of one of the Contracting Parties and are in the territory of the other Party shall be settled by a special Convention. The two Parties undertake to conclude such a Convention within six months following the ratification of the present Convention.

#### *Article 2.*

The term "archives" or "written matter" to be exchanged under the provisions of the present Convention shall be held to mean :

(a) Official acts and documents (public registers and books of all kinds, reports, statements, drafts, declarations, minutes of meetings of county authorities and municipal and communal councils, including documents not yet completed and not yet despatched, together with all annexes thereto, whether written or printed or otherwise manifolded) ;

(b) Registers (public registers and books, landed property registers, land survey registers, trade registers, registers of mines, registers of railways, tables of contents, indexes, registers of entries and despatches, catalogues, accounts, cash ledgers, statistical tables etc.);

(c) Plans (maps, designs, schemes, sketches, graphs, negatives, draughts, plans in relief, studies, programmes, specifications, copies and originals on tracing material) ;

(d) Title-deeds and judicial documents and other documents of any kind, such as diplomas and deeds conferring privileges, documents of family interest, patents of nobility, foundation deeds, public and private contracts, deeds of concession, statutes, certificates and accounts and documents annexed thereto.

#### *Article 3.*

Unless otherwise specially provided in the annexes forming an integral part of the present Convention, documents dated later than January 1st, 1897, and prior to July 31st, 1919, shall be exchanged.

#### *Article 4.*

Documents which concern only one of the Contracting Parties shall be surrendered to such Party in the original.

When documents concern both Contracting Parties, they shall remain in the possession of the country which at present holds them, while the other Party shall receive a copy.

Such copies shall be made at the expense of the applicant Party. They shall be legalised by the authority delivering them, without any charges or fees.

Should one Contracting Party require the original of a document which is in the possession of the other Party, it may apply for such original, which shall be lent to it for a period fixed by mutual agreement in accordance with procedure previously established.

#### *Article 5.*

The fact that archives or other written matter have been deposited or catalogued in libraries, museums, etc., of one Contracting Party does not preclude the obligation to surrender such documents to the applicant Party in so far as they form the subject of the present Convention.

*Article 6.*

As soon as the present Convention comes into force, the restituting Party shall proceed to classify the archives and written matter to be surrendered to the other Party.

Within nine months from this date, detailed lists enumerating the material classified shall be sent to the applicant Party with the request that the latter send its authorised representatives to receive them.

The material shall be surrendered directly by the authorities of the Party holding it to the representatives of the applicant Party.

The material shall be surrendered to the authorised representatives of the applicant Party within six months at latest from the date of notification of the request referred to in the second paragraph of this Article, without prejudice to subsequent claims.

The applicant Party may request that certain documents be delivered to it first.

Such documents shall be surrendered to it without delay.

*Article 7.*

The receiving Party shall communicate to the surrendering Party the names of its representatives deputed to receive the written matter, and shall provide them with official credentials, which shall be endorsed by the Ministry of Foreign Affairs of the delivering Party. The number of members of each Commission may not on any single occasion exceed five, but if necessary may be increased by mutual agreement.

The representatives shall have the right to examine registers and indexes in order to ascertain that the material to be surrendered is complete.

Should the classified material be incomplete, the representatives may require that it be completed.

Should any difference arise, the question in dispute shall be settled through the diplomatic channel.

*Article 8.*

The costs of transport from the place at which the material is received shall be borne by the receiving Party. The material surrendered shall be exempt from all duty or charges.

The surrendering Party shall provide all facilities for the transport of the material.

*Article 9.*

None of the documents referred to in the present Convention may be in any way classified or may be destroyed without notification to the other Party, which shall state its wishes within a period of six months.

*Article 10.*

Should the archives or other material to which the present Convention relates also concern a third State, they shall remain in the possession of the Party holding them until an agreement has been concluded with regard to them.

*Article 11.*

Annexes I—VIII dealing with archives referring to :

- I. Railways ;
- II. Posts, Telegraphs and Telephones ;
- III. Roads and Waterways ;
- IV. The Land Survey Register Offices and the State Domains Administrations ;

- V. The Hydrographic and Hydrotechnical Service ;
- VI. The Military Authorities ;
- VII. The Judicial Administration, the Landed Property Registers and Commas-  
sation ;
- VIII. Registers of Births, Marriages and Deaths (*Registres d'état civil*) ;

shall form an integral part of the present Convention.

In so far as the above-mentioned annexes contain no special provisions, or should the reciprocal exchange of written matter belonging to any branch of the Administration not be regulated by one of the above-mentioned annexes, the provisions of the present Convention shall apply.

The present Convention shall come into force after ratification thereof.

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

Done at Belgrade, in original duplicate, in French, January 30th, one thousand nine hundred and thirty-three.

(L. S.) B. D. JEVIĆ, *m. p.*

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

## ANNEX I.

### RAILWAYS.

#### *Article 1.*

1. The concession deeds of all the lines and all documents referring to concessions.
2. All technical works which have been used as a basis for the administrative verification enquiry or for the collation of documents.
3. Plans of stations, corrected up to date.
4. Plans of workshops and of other works and installations not included in the technical works coming under 2.
5. The complete collections of standardised construction works of all kinds on railway lines (infrastructure, superstructure, buildings, feed-water installations).
6. Plans of locomotives and wagons to be delivered and their component parts.
7. Technical schemes and documents for lines projected but not constructed.
8. Minutes of the administrative verification enquiry at the opening of traffic and of the work of collation for the whole railway system.
9. Deeds and documents relating to sections of line as and when the surrender of such acts and documents is applied for.
10. Plans, deeds and documents of industrial railways and lines.
11. Personal files of employees who are still employed or are in receipt of pensions.
12. In particular, an exchange shall on application be made of such papers, records and documents as are necessary for the settlement of accounts and which refer to orders given or to constructions carried out prior to the conclusion of peace, even when the object in question is in the territory of the Party to whom the request is made.

#### *Article 2.*

The exchange shall be effected within six months from the date of ratification of the present Convention.

## ANNEX II.

## POSTS, TELEGRAPHS AND TELEPHONES.

*Article 1.*

1. Personal service documents and, in general, files concerning officials still employed or in receipt of pensions.

2. Inventories of non-consumable postal, telegraphic and telephonic material, ledgers and registers (*törzslap*), and also documents, records, accounts, notes and other similar written matter relating thereto.

*Article 2.*

The exchange shall be carried out within the period fixed by Article 2 of Annex I.

## ANNEX III.

## ROUTES OF COMMUNICATION AND WATERWAYS.

*Article 1.*

All administrative records, plans, drafts and documents referring to routes of communication and waterways shall be exchanged.

*Article 2.*

The exchange shall be carried out within the period fixed in Article 2 of Annex I.

## ANNEX IV.

## LAND SURVEY.

Land survey documents shall be exchanged in the following manner :

(1) Both delegations shall draw up complete and detailed lists of the land survey, trigonometrical survey and land registration documents and of the materials and instruments which the two States have to hand over to or receive from each other. Each delegation shall send the other a copy of these lists as and when they are completed.

Within one month from the ratification of the present Convention, the Roumanian delegation shall bring to and deposit at Timisoara, and the Yugoslav delegation shall bring to and deposit at Novi Sad, all documents and material included in the said lists and due to be surrendered to the other State.

During the second month after the ratification of the present Convention, the two delegations shall surrender to each other all documents connected with communes not divided by the frontier and all original plans comprising parcels of land not divided by the frontier.

The land survey documents of the communes divided by the frontier and of Roumanian communes the documents of which are in the possession of the Kingdom of Yugoslavia, and of Yugoslav communes of the Banat, of Bačka and of Baranja the documents of which are in the possession of the Kingdom of Roumania, shall be exchanged.

(2) The plans relating to parcels of land divided by the frontier shall be surrendered to the State to which that commune now belongs on whose territory the pieces of land in question were situated before the delimitation of the frontier :

(a) The Yugoslav delegation, as it possesses the original maps of all the communes divided by the frontier, undertakes to plot out the whole frontier on the original maps and to calculate the areas of all the parcels of land divided by the frontier ; this work shall be done at the expense of the Kingdom of Yugoslavia.

When this work has been done, the Yugoslav delegation shall surrender to the Roumanian delegation the original maps which belong to communes situated in Roumanian territory on which the frontier has been plotted out, with a copy of all records of calculations.

The Roumanian delegation also undertakes to make the same calculations at its own expense in respect of the whole frontier and to compare them with those of the Yugoslav delegation. The documents and work in respect of which there is no difference shall be deemed to be finally approved by the consent of both delegations ; documents or calculations in which any difference is found shall be revised or re-made by mutual agreement.

(b) The Yugoslav delegation shall hand over to the Roumanian delegation copies of the original maps of the communes divided by the frontier, should it possess such maps.

(c) The two delegations shall procure for each other copies of all technical and land registration records, at the expense of the State to which the said copies are to be surrendered and at a uniform rate to be adopted by mutual agreement.

The applicant State shall be responsible for obtaining such printed matter as it may require.

In accordance with the above-mentioned principles, the Yugoslav delegation shall prepare copies of the detailed cadastral surveys, for the Kingdom of Roumania, of the communes of Majdan, Oroszlamos, Mocrin, Nacofalva, Klari, Pardani, Modos, Navygaj, Kustely, Bela Crkva, Kalucera, Kusic and Vracsegaj.

On its side the Roumanian delegation shall prepare, for the Kingdom of Yugoslavia, the same copies of the communes of Beba, Valkani, Mariafold, Vizesdia, Zsombolia, Horvat, Kosce, Parta, Denta, Also Stamura, Moravitza, Varadia, Nicolint, Najdas, Slatita, Leskovita, Campia, Socolovat and Kisgaj.

(d) The exchange of documents mentioned in Chapter 2 of the present Protocol shall take place within a period of one year from the date of ratification of the present Convention.

(3) As regards trigonometrical survey documents relating to Yugoslav and Roumanian territory in the Banat, the two delegations undertake to obtain and classify the documents which, as a result of the frontier delimitation, are of concern to the respective States. Such work shall be carried out on the same lines as those laid down in Chapter 1.

(4) The surrender by both Parties of all documents and material forming the subject of the present Protocol shall take place at Jimbolia.

Each State shall be responsible for the transport in its own territory to the said place both of documents to be surrendered and documents to be received.

(5) Simultaneously with the exchange of land survey and land register documents relating to the Yugoslav Banat and the Roumanian Banat, the Commission shall cause a final settlement to be made by also exchanging all documents and all records connected with land survey work, namely : documents relating to mines, State domains, land registration, commassation, hydraulic work, etc.

(6) Within six months from the ratification of the present Convention by the two Governments, both delegations shall have the frontier plotted out by their technical experts on the maps of the landed property registers, inscribing the area of each fraction of a parcel of land on both sides of the frontier in accordance with the information which they receive from the land survey office.

(7) Within two months from the ratification of the present Convention, the files of cases of commassation, with the relevant maps, shall be surrendered (Annex VII—III).

(8) For each commune, there shall be made complete lists in quadruplicate of the originals and copies of documents which the communes have had to apply for, signed by the Chief Magistrate and the Chief of the Land Registration Service.

These lists shall contain :

- The original land register,
- The copy of the land register,
- The copies of plans,
- The original files, etc. etc.

One of these lists shall remain in the office of the magistrate concerned and the other three copies shall be surrendered to the delegation responsible for the surrender of documents.

(9) The classification of registers and files in the archives shall begin immediately after the frontier has been plotted on the plans.

(10) All registers, maps and files shall be surrendered by the Yugoslav delegation at Jimbolia and by the Roumanian delegation at Iasatomici.

#### ANNEX V.

#### HYDROGRAPHICAL, HYDROTECHNICAL, HYDRAULIC, AGRICULTURAL AND METEOROLOGICAL SERVICES.

##### *Article 1.*

The following shall be exchanged :

- (1) The plans and drafts for river conservancy.
- (2) The written material of the agricultural, hydraulic offices and river conservancy offices.
- (3) Registers of water rights, with the collections of documents, plans and all other files attached thereto.
- (4) Kilometric and detailed maps and charts.
- (5) Official publications, books and maps in several copies.
- (6) The personal files of employees, whether still employed or in receipt of pension.
- (7) In general, all relevant records and documents which relate to the territory in question.

##### *Article 2.*

The material mentioned in the present Annex shall be exchanged within six months from the date of ratification. If in any special case, for administrative or material reasons, it may be found necessary to extend the period, a special agreement should be concluded.



## ANNEX VI.

## MILITARY ARCHIVES.

*Article 1.*

The following documents shall be exchanged :

## I. Personal documents :

- (a) Record books and company files of officers and other ranks ;
- (b) Proficiency tables ;
- (c) Hospital sheets ;
- (d) Opinions of medical boards and medical certificates ;
- (e) Medical examination documents ;
- (f) Death certificates ;
- (g) Documents of widows and orphan children of officers and other ranks ;
- (h) Disablement certificates ;
- (i) Records of garrison military courts and courts martial ;
- (j) File-sheets containing information of any kind ;
- (k) Voluntary enlistment certificates ;
- (l) Attestations of unfitness, with documents annexed thereto ;
- (m) Extracts from registers of disciplinary punishments ;
- (n) Files of dépôt units and of cadres which have been moved from their recruiting area ;
- (o) Personal and confidential memoranda and reports connected with officers and re-enlistment undertakings.

II. Documents, material, plans and schemes for barracks and military buildings, and records relating to contracts of purchase and leases.

*Article 2.*

All the annexes to the files and documents enumerated under Article 1 such as : birth certificates, educational certificates, nationality certificates, etc., shall also be surrendered.

*Article 3.*

Both Contracting Parties undertake to communicate to each other within six months from the ratification of the present Convention lists of the acts, records and documents to be exchanged.

All expenditure thereby incurred shall be chargeable to the Party in whose territory the documents are situated.

*Article 4.*

The two Contracting Parties undertake reciprocally to collect, within three months after the exchange of the lists, records and documents and the papers specified therein, and to arrange for their surrender.

The Contracting Party receiving such documents shall agree to take delivery of them within the following three months.

*Article 5.*

The Contracting Parties undertake to supply each other with lists of soldiers killed or died as a result of military operations, prisoners of war dead in captivity and buried on the territory of the respective Contracting Parties, and with all information connected with their graves, as provided for by Article 172, paragraphs 1 and 2, of the Treaty of Peace signed at St.-Germain-en-Laye. Such lists shall be communicated by each Party to the other within a period of two years from the date of the coming into force of the present Convention.

*Article 6.*

The supreme military authorities of the two Contracting Parties shall be empowered to enter into direct relations with each other with a view to the execution of the present Convention.

## ANNEX VII.

## JUDICIAL ACTS.

*Article 1.*

If any courts of law of whatever instance, belonging to either of the High Contracting Parties, have been seized of cases of any kind, such cases having been brought before courts which, on the coming into force of the present Convention, are situated in the territory of the other Party, such courts shall *ex officio* and without discussion send the records and documents of such cases to the competent courts of law of the other Party.

*Article 2.*

Records and documents shall not be surrendered in civil (commercial) cases in the following circumstances :

(a) If the question at issue is the personal status of nationals of the Contracting Party in whose territory such records and documents are situated ;

(b) If under the laws of the Contracting Party in whose territory the records and documents are situated, the courts of such Party are exclusively competent on the day on which the present Convention comes into force ;

(c) If at the time when proceedings were brought the defendant was domiciled within the jurisdiction of a court whose jurisdictional area has been divided in consequence of the Treaty of Trianon, and if the files are in the possession of a judicial authority of the Party in whose territory the defendant was domiciled on the date of the coming into force of the present Convention ;

(d) If, in the event of a conflict of competence, all the Parties concerned request that the case be decided by the courts of the Contracting Party in whose possession the records and documents are.

*Article 3.*

In criminal cases, the records and documents which are in the territory of the Party to which application is made shall not be delivered up :

(a) If the accused was a national of that Party at the date of the coming into force of the present Convention ;

(b) If the offence was committed in the said territory and if the accused is not in the territory of the other Party.

*Article 4.*

The measures taken by the courts for the transmission of records and documents may in no way be disputed.

*Article 5.*

Documents of cases at civil and criminal law which have been completed by the date of the coming into force of the present Convention and which exclusively concern the other Contracting Party shall be delivered up on application from the said Party.

*Article 6.*

The courts of the two Parties shall, if necessary, examine cases referred to them on the basis of their municipal legislation and of the principles of international law.

*Article 7.*

If, in cases provided for in Articles 2 and 3, one of the Contracting Parties retains documents connected with cases in which the procedure must also be continued before the judicial authorities of the other Party, the Party in possession of such documents shall supply copies of such files on application from and at the expense of the receiving Party. The copies shall be supplied unstamped and no charge shall be made for legalisation.

## II.

## LAND REGISTERS.

*Article 8.*

Within six months after the ratification of the present Convention, the two States shall have the frontier plotted out by their experts on the maps of the land registers, the areas of each fraction of a parcel of land on both sides of the frontier being inscribed in accordance with the information which they receive from the Land Survey Office (*Cadaastre*).

All land registers in the territory of one Contracting Party which deal exclusively with real property wholly situated in the territory of the other Party shall be surrendered in the original to the latter Party within three months of the ratification of the present Convention.

Should a land register in the territory of one Contracting Party refer to real property situated in the territory of both Parties or in the territory of the other Party and of a third Power, the Contracting Party in possession of the said land register shall deliver a copy thereof to the other Party at the latter's expense. Such copies shall be supplied, unstamped and without charge for legalisation, within one year after the ratification of the present Convention.

Should the original land registers to be surrendered be lost or be in an unusable condition through negligence on the part of the authorities of the Party surrendering them, such Party shall defray the cost of recompilation of the registers.

*Article 9.*

All documents, registers, plans, deeds, etc. of any kind connected with the matter referred to in the said registers and not yet cancelled shall be surrendered at the same time as the land register. Should such a document also refer to real property in the territory of the Party surrendering the document, such Party shall have the right to substitute for the original a copy prepared at the expense of the other Party.

The originals of maps attached to the Land Survey Registers shall be kept by the State in whose possession they are at present. After the frontier has been marked on such maps, copies thereof shall be delivered to the other State.

*Article 10.*

The selection of the land registers and documents to be surrendered under the preceding provisions shall begin as soon as the present Convention comes into force. Such registers and documents shall be surrendered within three months, while the preparation and delivery of copies required shall take place within a year following the coming into force of the present Convention.

A list of the land registers, documents and copies to be surrendered shall be drawn up in duplicate, one copy to remain with the delivering authority and the other being delivered to the authorised receiving representative.

## III.

## DOCUMENTS CONCERNING COMMASSATION.

*Article 11.*

Acts of commassation, whether completed or in course of execution, in so far as they concern real property situated wholly in the territory of the other Contracting State, shall be surrendered in the original to the other Contracting State.

With the said documents concerning commassation shall also be surrendered all technical specifications of commassation, together with the land survey specifications on the basis of which the work of commassation was executed.

Should the documents concerning commassation and the technical specifications mentioned in the previous paragraph refer to real property situated on the territory of both Contracting States, legalised copies shall be given to the other Contracting State, by request of the Contracting State in whose territory the material is situated.

## ANNEX VIII.

## REGISTERS OF BIRTHS, MARRIAGES AND DEATHS.

*(Registres de l'état civil).**Article 1.*

Original registers of births, marriages and deaths shall remain in the possession of the Contracting Party in whose territory is situated the Central Registry Office whose district has been divided in consequence of the Treaty of Trianon.

Should the Central Registry Office of the district partitioned by the Treaty of Trianon and the headquarters of the competent departmental authority be in the territory of the same

Contracting Party, the duplicates kept at the headquarters of such authority shall be surrendered to the other Party, together with lists of notes and corrections, relating to the duplicates, which shall later be entered on the originals.

The Party in possession of such duplicates and annexes may also supply certified copies of them free of charge.

*Article 2.*

Should the original registers of births, marriages and deaths or the duplicates have been removed from the Central Registry Office or from the headquarters of the departmental authority, they shall be returned by the Party in whose possession they are, in their entirety if the administrative districts have not been partitioned, or in accordance with Article 14 if the administrative districts have been partitioned.

*Article 3.*

Should an original have been lost or destroyed, the Party applied to shall, at the request of the applicant Party, supply to it free of charge copies of the duplicates and of their annexes, legalised in accordance with the regulations in force in its territory.

*Article 4.*

In the case of registry offices whose district lies wholly within the territory of one of the two Contracting Parties but forms part of a department which is divided by the Hungaro-Roumanian frontier and the headquarters of which is situated in the territory of the other Party, the duplicates provided for in Article 14 shall not be supplied if the originals are in the possession of the competent registry office.

Done at Belgrade, in original duplicate, in French, January 30th, one thousand nine hundred and thirty-three.

(L. S.) B. D. ЈЕВТИЋ, *m. p.*

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