

N° 4042.

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ROUMANIE  
ET YOUGOSLAVIE

Convention relative à l'application du règlement international de police de la navigation et à l'exercice de cette police sur la partie du Danube formant frontière entre les deux Etats comprise entre l'embouchure de la Néra et l'embouchure du Timok, et déclaration. Signées à Belgrade, le 10 février 1933.

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ROUMANIA  
AND YUGOSLAVIA

Convention regarding the Application of the International Regulations for the Police Control of Navigation and the Exercise of such Control on the Section of the Danube between the Mouth of the Nera and the Mouth of the Timok which forms the Frontier between the Two States, and Declaration. Signed at Belgrade, February 10th, 1933.

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

No. 4042. — CONVENTION <sup>2</sup> BETWEEN THE KINGDOM OF ROUMANIA AND THE KINGDOM OF YUGOSLAVIA REGARDING THE APPLICATION OF THE INTERNATIONAL REGULATIONS FOR THE POLICE CONTROL OF NAVIGATION AND THE EXERCISE OF SUCH CONTROL ON THE SECTION OF THE DANUBE BETWEEN THE MOUTH OF THE NERA AND THE MOUTH OF THE TIMOK WHICH FORMS THE FRONTIER BETWEEN THE TWO STATES. SIGNED AT BELGRADE, FEBRUARY 10TH, 1933.

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*French official text communicated by the Roumanian Chargé d'Affaires to the League of Nations.  
The registration of this Convention took place January 25th, 1937.*

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HIS MAJESTY THE KING OF ROUMANIA

and

HIS MAJESTY THE KING OF YUGOSLAVIA,

Equally desirous of ensuring, in accordance with the provisions of Article XXIV of the Convention<sup>3</sup> instituting the definitive Statute of the Danube, signed at Paris on July 23rd, 1921, the application of the Regulations for the Policing of Navigation drawn up by the International Commission of the Danube in virtue of the same Article, and already in force in the territories of the two States, and the conduct of such policing on the section of the Danube between the mouth of the Nera and the mouth of the Timok which forms the frontier between the two States,

Have decided to conclude a Convention, and for that purpose have appointed as their respective Plenipotentiaries :

HIS MAJESTY THE KING OF ROUMANIA :

His Excellency Monsieur Constantin CONTZESCO, Minister Plenipotentiary, his Delegate on the Danube Commissions ;

HIS MAJESTY THE KING OF YUGOSLAVIA :

Monsieur Dushan PANTITCH, Counsellor of Legation, his Delegate on the Permanent Technical Hydraulic System Commission of the Danube ;

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

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<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, January 16th, 1937. Came into force January 16th, 1937.

<sup>3</sup> Vol. XXVI, page 173 ; and Vol. CXVII, page 55, of this Series.

*Article 1.*

The competent authorities of the two States shall be responsible for the supervision of navigation and the application of the Regulations for the Policing of Navigation within the limits of the sovereignty of each of them, that is to say, in waters, and on the banks of such waters, situated in their respective territories.

The said rights shall be exercised by the river police services provided for under the legislation of each of the two States. The said services must comply with the provisions of Article XXVI of the Statute of the Danube.

*Article 2.*

In the special case of the section of the Danube between Moldova-Veche and Turnu-Severin, known as the Iron Gates and Cataracts Section, and in accordance with the provisions of Chapter VII (Articles 32 to 38) of the Agreement relating to the Setting-up of Special Services at the Iron Gates, the two co-riparian States agree to allow :

That the Administration of the Iron Gates and Cataracts shall notify to the riparian authorities responsible for the policing of navigation any breaches of the provisions of the Regulations for the Policing of Navigation and the Annex thereto, placing at their disposal any information which it may have been able to obtain ;

That the said Administration should further notify them of any irregularity in respect of which they should intervene and any damage to plant, buildings, or installations placed at its disposal ; and

That the verification of the compliance of navigators with the obligations imposed by the " Special Provisions " annexed to the Regulations for the Policing of Navigation, in force in respect of the passage of the said section, shall be reserved for the authorities of the said Administration ;

all this without prejudice to the rights of the riparian authorities under Article 1.

It is nevertheless understood that the above provisions shall in no way affect the competence of the riparian authorities in respect of the policing proper of the ports and banks in the section or the management of ports in general, so far as such competence is recognised by Article 9 of the Agreement relating to the Setting-up of Special Services at the Iron Gates.

*Article 3.*

When the competent riparian authorities responsible for the policing of navigation are informed or officially notified of an accident or breach of the Regulations, either by the river police or by the Administration of the Iron Gates and Cataracts (in the case of the Moldova-Veche-Turnu-Severin section), or in any other manner, direct or indirect, they shall verify the facts and take proceedings.

They shall communicate for information monthly to the Administration of the Iron Gates and Cataracts a table showing the sentences which have become final or orders to dismiss the charge issued by them in all cases of breaches of the Regulations in the Iron Gates and Cataracts Section.

*Article 4.*

In the case of proceedings for breaches of the Regulations committed :

(a) On the frontier line itself or in its immediate neighbourhood at a moment when the vessel or vessels concerned were indisputably in the territory of the two States ;

(b) At places where the exact position in relation to the frontier line can only be established after enquiries ;

the Arrangement<sup>1</sup> concluded between the two co-riparian States on June 19th, 1930, which was ratified by their respective Parliaments at the same time as the Agreement relating to the Setting-up of Special Services at the Iron Gates and is applicable to the Iron Gates and Cataracts Section, shall also be applicable to the two parts of the Danube which constitute the frontier line situated, one upstream from the said section, between the mouth of the Nera and Moldova-Veche, and the other downstream between Turnu-Severin and the mouth of the Timok.

Competence to verify and investigate the cases referred to in the previous paragraph shall, for a period of one year, first accrue to the Roumanian authorities in the part of the river between Turnu-Severin and the mouth of the Timok, and first accrue to the Yugoslav authorities in the part of the river between the mouth of the Nera and Moldova-Veche.

The exchange of competences in the two parts of the Danube shall take place on January 1st of each year, so that the authorities of the same State shall exercise it from kilometre-pillar 985 downstream as far as the mouth of the Timok, and upstream as far as the mouth of the Nera.

The regulations drawn up by the two States for the application of the above provisions shall be co-ordinated in respect of this matter before being put into force.

#### *Article 5.*

The competent authorities of the two countries shall communicate to each other for information a table showing the sentences which have become final or orders to dismiss the charge issued by them whenever the offence has been committed or the accident happened under the conditions indicated in the Agreement between the two Governments mentioned in Article 4 above.

If a request is made in respect of special cases in which the authorities of one of the two States are more particularly concerned, the said table may be supplemented by further information.

#### *Article 6.*

The two States shall communicate to each other a list, kept up to date, of the riparian authorities responsible for the policing of navigation over the whole of that part of the Danube which forms the frontier line between them, mentioning their headquarters and the boundaries of their districts.

#### *Article 7.*

The river police authorities mentioned in the second paragraph of Article 1 above shall in case of need intervene, though strictly within the limits of the sovereignty of the State to which they belong, either at the request of the competent riparian authorities or at the request of the Administration of the Iron Gates and Cataracts, in the case of acts committed in the Moldova-Veche-Turnu-Severin section, or on their own initiative, when circumstances require an immediate intervention.

The procedure to be followed shall be defined by the rules mentioned in Article 4 above.

#### *Article 8.*

On the expiry of six years from the date of the coming into force of this Convention, the High Contracting Parties reserve the right, at the request of one of them, to denounce it or to agree on any amendments thereto if the need for such amendments has been shown by experience.

Failing such a request made within six months previous to its expiry, this Convention shall remain in force for a further period of six years, unless an application for denunciation or amendment is made by one or other of the High Contracting Parties six months before the expiry of any two-yearly period.

<sup>1</sup> Vol. CXL, page 229, of this Series.

*Article 9.*

The present Convention shall be ratified and the ratifications shall be exchanged at Bucharest before December 31st, 1933.

It shall come into force on January 1st, 1934.

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

Done in duplicate, at Belgrade, this tenth day of February, nineteen hundred and thirty-three.

*(Signed)* Const. CONTZESCO.

*(Signed)* Dushan PANTITCH.

DECLARATION.

At the moment of proceeding to the signature of the Convention concerning the Policing of Navigation on the Danube which forms the frontier between the Kingdoms of Roumania and of Yugoslavia, the respective Plenipotentiaries undersigned declare that they regard this Convention as having been signed *ad referendum*.

If within three months, that is to say by May 10th, 1933, no amendment of the said Convention has been requested by either of the two co-riparian Governments, it shall be regarded by them as definitively concluded and capable of being ratified.

BELGRADE, *February 10th*, 1933.

For Roumania :

*(Signed)* Const. CONTZESCO.

For Yugoslavia :

*(Signed)* Dushan PANTITCH.