

N° 3366.

**ROUMANIE
ET YOUGOSLAVIE**

Convention relative à la protection, conservation et reconstruction des bornes frontières et d'autres signaux servant à indiquer la ligne frontière, avec annexe. Signées à Beograd, le 30 janvier 1933.

**ROUMANIA
AND YUGOSLAVIA**

Convention regarding the Protection, Maintenance and Repair of Frontier Posts and Other Marks used for the Demarcation of the Frontier Line, and Annex. Signed at Belgrade, January 30th, 1933.

¹ TRADUCTION. — TRANSLATION.

No. 3366. — CONVENTION ² BETWEEN THE KINGDOM OF ROUMANIA AND THE KINGDOM OF YUGOSLAVIA REGARDING THE PROTECTION, MAINTENANCE AND REPAIR OF FRONTIER POSTS AND OTHER MARKS USED FOR THE DEMARCATION OF THE FRONTIER LINE. 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 by common agreement of settling, between the Kingdom of Yugoslavia and the Kingdom of Roumania, the question of the protection, maintenance and repair of frontier posts and other marks used for the demarcation of the frontier line,

Have resolved to conclude a Convention for the 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 in the Ministry of Foreign Affairs, Bucharest ;

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

Article I.

The frontier between the Kingdom of Yugoslavia and the Kingdom of Roumania shall be embodied either by the line joining the centres of the consecutive frontier posts, where there is a single row of posts, or by the line traced by the double row of posts or by the rows of alternating posts where the frontier runs along the bottom or one side of a ditch or canal along the bed or one of the banks of a river, or along the median line or one side of a road.

The position of points marking or indicating the frontier is that established in the plans, in conformity with the technical data collected on the spot and entered in the relevant record book.

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.

Article 2.

Each of the two Contracting Parties undertakes :

(a) To protect, maintain, repair and replace, at its own cost, and regardless of the cause of damage or destruction, all posts and marks along the whole frontier which serve to indicate the frontier line, and all polygonal or cadastral triangulation stones, situated on its territory ;

In the case of common frontier posts (single row), the Kingdom of Roumania shall protect, maintain, repair and replace at its own cost and regardless of the cause of damage or destruction, all frontier posts and marks, starting from the triplex confinium with Hungary (O. Beba) as far as Moravitza (Sector " N " and " A "), to post B₁ exclusive, and the Kingdom of Yugoslavia from Moravitza, starting from post B₁ to the confluence of the Nera river with the Danube (Sector " B " and " C "). The shape, position and orientation of posts repaired or replaced shall not be changed ;

(b) To maintain in their original position and as far as possible to protect the banks of watercourses marking the frontier ;

(c) To make the frontier as visible as possible in open ground, by growing a single row of isolated trees, at intervals of not less than 15 metres, along the line joining the centres of consecutive frontier posts ;

(d) To prohibit the construction of new buildings within a zone 50 metres from the frontier line, except in the case of houses and villages already existing at a less distance from the frontier, and mills and other structures already existing on frontier watercourses, the structural conditions wherefrom shall be determined by another Convention ;

(e) To clean each year the ground along the frontier to a width of two metres on the inner side of the line of posts, so that the line may be clearly visible ;

(f) Every second year to linewash the posts for the maintenance of which each State is responsible ;

(g) To leave uncultivated on either side of the frontier line a strip of land two metres wide in open country, four metres wide in wooded country and five metres wide along watercourses marking the frontier.

Similarly, the land around a double row of posts or rows of alternating posts, and that around all marks lying off the frontier line, shall be left uncultivated to a radius of two metres around each post or mark.

The above measures shall be applied by each State on its own territory.

Original condition means the condition at the time when the frontier posts were set up.

Article 3.

The frontier line and the points serving to mark the frontier shall be inspected every five years as from the date of the ratification of the present Convention.

The inspection shall be carried out by a joint Commission consisting of one technical delegate and one delegate of the competent authority of each State.

This Commission shall verify the frontier line in so far as concerns the pyramids and other signs indicating the frontier, and likewise the maintenance of the corridor along the frontier. All repairs to damaged pyramids and the replacement of those removed by water or destroyed by erosion or by any other act of God shall be effected on the same occasion.

In order to facilitate the work, the frontier authorities shall forward to the technical delegates of the respective Governments, in due time before the Commission meets, all information concerning the number of pyramids missing, destroyed or damaged.

After the inspection and repair of the frontier line, the Joint Commission shall submit a report to the respective Governments for approval.

Article 4.

In addition to the periodical inspection provided for in Article 3, and in exceptional cases only, when several consecutive frontier posts or marks have been displaced or completely destroyed, so that the line has become invisible (through the appearance of fissures in or subsidence of the soil, or erosion or shifting of the ground), the two Governments will, after previous agreement, proceed immediately to replace them.

In such cases, the respective Governments will concert in due time as to the work required. Pyramids (posts) will be set up in accordance with the provisions of Article 2 of the present Convention, and in all cases in the presence and with the collaboration of the delegates of both contracting States.

Article 5.

The new posts shall not be set up otherwise than in accordance with the original plans (sketches and calculations).

The method shall be determined by the two technical delegates in each particular case.

Article 6.

The cost of the work done under Articles 2 and 4 shall be borne by each State, as provided in Article 2.

As regards other work done in the common interest, each State shall bear half the current cost for supplies of materials. The costs of the labour employed upon the execution of such work shall be borne by each State, as provided for in Article 2 above.

Article 7.

Where frontier posts or marks the upkeep of which is incumbent upon one State have been destroyed or damaged by a national of the other, the aggrieved State shall observe the provisions of Articles 2 and 4 with regard to the repair or replacement of such posts and marks. The aggrieved State shall be entitled to compensation from the State whose national caused the damage, but only on the basis of a judicial sentence pronounced by the authorities of the latter State.

To facilitate the task of justice, when the frontier authorities of one State have identified a national of the other State as the author of the damage, they shall immediately bring the fact to the knowledge of the frontier authorities of the other State.

The latter authorities shall be bound to proceed immediately in common agreement with the authorities of the aggrieved State, each authority acting on its own territory, to an enquiry for the purpose of identifying the author of the damage. A report on the investigations shall be drawn up, and the authorities of the State to which the author of the damage belongs shall be bound to bring the matter before the courts.

Article 8.

The monument marking the triplex-confinium of Roumania, Yugoslavia and Hungary shall be maintained and repaired at the cost of the three States. At the periodical frontier inspection, the Joint Commission shall also ascertain whether repairs are necessary to this monument.

Article 9.

The present Convention shall come into force on the day of the exchange of ratifications.

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

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

(L. S.) B. D. JEVTIĆ, *m. p.*

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

ANNEX

TO THE CONVENTION REGARDING THE MAINTENANCE AND UPKEEP OF THE FRONTIER LINE,
PYRAMIDS AND MARKS.

In virtue of Article 4 of the present Convention, and whereas eight years have elapsed since the frontier line was marked with pyramids, a Joint Commission shall be appointed in July 1933 to inspect the whole frontier line. The Commission shall consist of one technical delegate and one delegate member of the general administration or of the frontier authority, appointed by either contracting State.

This Commission shall by personal inspection determine the following :

(1) The condition of the frontier line, *i.e.*, whether it is accurately marked, by comparing the maps and the detailed description of the frontier line with the frontier line on the ground ;

(2) The condition of the pyramids and marks :

(a) Whether they are in their appointed places, *i.e.*, have not been moved ;

(b) The number of pyramids missing, destroyed or carried away by water to be replaced by new ;

(c) The number of damaged pyramids for repair ;

(3) The visibility of the frontier line, in conformity with Article 2, paragraph (d) :

(a) Whether there exists a corridor enabling one pyramid to be seen from the next, two metres wide in open country, 4 metres wide in wooded country and 5 metres wide along the banks of rivers whose course forms the frontier, and whether such corridor is capable of use for direct communication between frontier guards ;

(b) The steps to be taken to create and maintain such a corridor, if it does not exist ;

(4) The organisation of the labour and work required to complete the task as speedily as possible ;

(5) The arrangements for financing and the final settlement of the accounts for work to be carried out jointly, *i.e.*, at the cost of both States, as provided for in Article 2 ;

(6) The arrangements for supplying new pyramids and material necessary for the repair of pyramids ;

- (7) The arrangements for the transport of pyramids and material ;
- (8) The date and place of commencement of the technical work.

In virtue of the foregoing, the Mixed Commission shall prepare a report and submit proposals for the approval of the respective Governments regarding the execution of the above work.

Done in duplicate at Belgrade, 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.*