

No. 517

**YUGOSLAVIA
and
ITALY**

Agreement concerning the minor frontier traffic (with annexes). Signed at Udine, on 3 February 1949

Serbo-Croat and Italian official texts communicated by the Permanent Representative of Yugoslavia to the United Nations. The registration took place on 12 August 1949.

**YOUGOSLAVIE
et
ITALIE**

**Accord relatif au trafic frontalier restreint (avec annexes).
Signé à Udine, le 3 février 1949**

Textes officiels serbo-croate et italien communiqués par le représentant permanent de la Yougoslavie auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 12 août 1949.

TRANSLATION — TRADUCTION

No. 517. AGREEMENT¹ CONCERNING THE MINOR FRONTIER TRAFFIC BETWEEN THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA AND THE ITALIAN REPUBLIC. SIGNED AT UDINE, ON 3 FEBRUARY 1949

The Government of the Federal People's Republic of Yugoslavia and the Government of the Italian Republic, desirous of regulating in accordance with the principle of reciprocity the minor frontier traffic between their two countries, and thereby facilitating the exploitation of the properties situated along the Yugoslav-Italian frontier, have agreed on the following provisions:

Article I

THE FRONTIER ZONE

1. For the purposes of the present agreement the frontier zone shall be deemed to be the zone formed by a strip extending ten kilometres on either side of the frontier line.

2. Within one month after the date of signature of the present agreement, the Contracting Parties shall exchange lists of the Yugoslav Local Popular Committees and parts thereof and of the Italian communes and parts thereof included in the respective frontier zones.

3. It is understood that the foregoing provisions shall be without prejudice to any decisions subsequently adopted by the Commissions for the demarcation of the frontier between the Federal People's Republic of Yugoslavia and the Italian Republic.

Article II

PERSONS ALLOWED THE RIGHT OF TRANSIT

For the purposes of the present agreement the following categories of citizens of either country, having their permanent residence either in a local Popular Committee or part thereof or in a commune or part thereof situated in the frontier zone, shall be entitled to cross the frontier for an unlimited number of times in order to proceed to specified localities situated in the other frontier zone, in respect of which the frontier permit has been issued to them:

¹ Came into force on 3 February 1949, as from the date of signature, in accordance with article XVIII.

(a) owners of immovable properties (cultivated fields, gardens, orchards, vineyards, meadows, pasturage, woods, quarries, etc.) or of agricultural undertakings situated on the frontier line or within the other frontier zone, if they were the owners on 15 September 1947, as well as members of their family who are their legal successors, and persons entitled to succeed them who become the owners of the said properties in virtue of a deed *inter vivos*;

(b) tenants of immovable properties or of agricultural undertakings situated on the frontier line or within the other frontier zone, if they were the tenants on 15 September 1947, and until the expiry of their leases;

(c) members of the families of the persons belonging to the categories specified in paragraph (a) who live in their households;

(d) permanent or seasonal workers engaged by the persons specified in paragraph (a);

(e) owners of herds or of single animals which, in accordance with local custom, are driven to pasture on the other side of the frontier;

(f) persons in charge of herds or of single animals, and permanent workers engaged in processing the products of livestock which, in accordance with local custom, are driven to pasture, daily or by the season, in the other frontier zone;

(g) charcoal burners and woodcutters working in the properties specified in paragraph (a) of the present article.

Article III

CORPORATE BODIES

1. The facilities mentioned in article II of the present agreement shall be also applicable, on the same conditions, to corporate bodies which had their head offices in the frontier zone on 15 September 1947 and which, before that date, owned immovable properties on the frontier line or within the other frontier zone.

2. It is understood that the right of frontier transit shall be granted to representatives of the corporate bodies referred to in paragraph 1 who have their permanent residence in the frontier zone.

Article IV

WORKING TOOLS AND PRODUCTS ENTITLED TO TRANSIT

1. Citizens of both Contracting Parties having their permanent residence in the frontier zone of one of the Contracting Parties and owning immovable properties in the other frontier zone, as well as members of their families, tenants and permanent and seasonal workers, shall have the right to convey from their homes or agricultural undertakings to such properties, and vice versa, free of all customs import or export duties and of any other tax or impost:

(a) animals required for work or driven to pasture and the fodder required for such animals while they remain at the properties;

(b) implements, vehicles and machines commonly used for agriculture and forestry, including their accessories and whatever is required for the operation of such machines and vehicles.

Customs exemption in respect of fuels shall be understood to apply solely to the amounts contained in the vehicle's normal tank in direct connexion with the motor, on crossing the frontier.

(c) fertilizers of all kinds, seeds, cuttings, shoots for transplantation, saplings for reforestation, vine props, building materials for minor repairs and the maintenance of buildings situated on the said properties, and all apparatus for destroying insects harmful to agriculture and for combatting diseases of animals;

(d) agricultural and forest produce harvested on the aforesaid properties, including the natural increment of the livestock on the farm, dairy and vineyard products and the means of packing and conveying such products.

Conveyance of wine shall be effected by the end of November of each year, and the product conveyed must have been harvested during that same year;

(e) consumer goods normally necessary, for the duration of their sojourn on the properties concerned, for the persons availing themselves of the facilities granted under the present agreement.

For agricultural consignments, the Contracting Parties undertake to facilitate, as far as possible, the use of the cableways, in accordance with agreements to be concluded by the local authorities for this purpose.

Article V

SEASONAL PASTURAGE

1. Livestock of all kinds driven for seasonal pasturage from the territory of one Contracting Party to that of the other Contracting Party shall be reciprocally admitted, free of all import or export duties and of any other tax or impost, on condition that they are returned within a previously fixed period, which may in no case exceed six months.

2. Exemption from export and import duties and from any other tax or impost shall extend to any products obtained from the livestock during pasturage, i.e.:

(a) the young dropped by livestock during the period of pasturage;

(b) cheese, butter and other dairy products, in quantities not exceeding those normally produced, due consideration being given to the numbers and kind of livestock and to the duration of pasturage beyond the frontier line.

3. Exemption in respect of butter, cheese and other dairy products shall be granted within the limits referred to in paragraph 2 (b) of the present article, even if these products are imported and exported after the return of the livestock, provided that no longer than four weeks have elapsed since the day of return.

4. The respective customs authorities shall have the right to require that the re-import and re-export of livestock shall be guaranteed.

The written guarantee of a landowner or other person considered solvent shall be sufficient.

5. On the same conditions exemption from all import and export duties and from all taxes or imposts shall be reciprocally granted in respect of bees temporarily transported from one frontier zone to the other, and of honey and new hives containing young swarms of bees obtained during the aforementioned sojourn.

6. In respect of livestock driven to pasturage daily, the customs officials shall waive all customs formalities except the security measures required for the prevention of any abuses.

7. Horses and oxen to be used for work in the other frontier zone or driven to pasture in that zone must be branded with a "Y" if they are of Yugoslav origin, and with an "I" if of Italian origin.

For horses the sign shall be branded on the hoof of the front left leg, and for oxen on the outside hoof of the front left leg, or on the left horn. Sheep, goats and swine must be marked with a metal sign attached to the left ear and

bearing one of the two aforementioned letters, according to their respective origins.

Article VI

VETERINARY CERTIFICATES

1. Animals crossing the frontier must be accompanied by veterinary certificates issued by the competent authorities, which must bear the declaration that no infectious disease has been detected during the preceding forty days in the local Popular Committee or commune of origin among the animal species mentioned in the certificate.

2. Veterinary certificates shall be valid for a period of forty days.

3. The health authorities of the country into which the livestock are to be temporarily imported shall retain the right to verify the state of health of such livestock, where they consider it necessary, on passage of the frontier.

4. If the local authorities of one Contracting Party detect an infectious disease among the livestock, they shall immediately inform the local authorities of the other Party. The authorities shall agree on the protective measures to be adopted, including, if necessary, the temporary closure of the frontier to the transit of livestock.

Article VII

FRONTIER PERMIT

1. The document entitling the persons enumerated in articles II and III of the present agreement to the facilities granted in connexion with frontier traffic shall be the frontier permit.

2. Frontier permits shall be valid for one year from the day of issue and renewable from year to year. They shall be valid as documents of personal identity and must contain the description and a recent photograph of the holder.

3. The frontier permit must also specify the location of the property, the area cultivated and nature of cultivation and the numbers of livestock used for work and in pasture.

The young dropped by livestock during pasturage must be entered on the frontier permit within fourteen days.

4. Frontier permits shall be made out in the Italian and Slovenian languages.

5. Frontier permits of owners of properties must be of a different type from those of the other entitled persons referred to in articles II and III of the present agreement. The frontier permits of owners of properties must bear the names of the members of their families and of the permanent workers who, in addition to the owners of the properties, are entitled to cross the frontier, together with the serial number of their personal frontier permits.

6. Frontier permits of tenants must, in addition to the other particulars, state the name of the owner of the property and the duration of the lease.

7. Frontier permits shall conform to the attached specimens (annexes 1 and 2), which constitute an integral part of the present agreement.

Article VIII

MEMBERS OF THE FAMILY

1. The holder of a frontier permit may include in his permit members of his family under seven years of age who habitually accompany him.

2. Members of the family of the holder of a permit who are more than seven years of age, live in his household and assist him in exploiting the properties must be provided with personal frontier permits.

Article IX

HERDSMEN, CHARCOAL BURNERS AND WOODCUTTERS

1. Herdsmen, charcoal burners and woodcutters required to remain beyond the frontier for a period longer than one day must be provided, in addition to the frontier permit, with a special pass, whereon the duration and locality of sojourn in the other frontier zone shall be stated.

2. The passes referred to in the preceding paragraph shall be valid for not more than three months and shall be renewable every three months.

3. They shall be issued in conformity with the attached specimen (annex 3) which constitutes an integral part of the present agreement.

Article X

METHOD OF ISSUE

1. Frontier permits shall be issued, in the Federal People's Republic of Yugoslavia by the Internal Affairs Section of the competent District Popular Committee and in the Italian Republic by the competent Prefectural Authorities, on production of documents attesting that the applicant fulfils the qualifications prescribed in articles II and III of the present agreement.

2. Frontier permits issued in the Federal People's Republic of Yugoslavia shall be subject to the visa of the competent authorities of the Italian Republic and, likewise, permits issued in the Italian Republic shall be subject to the visa of the competent authorities of the Federal People's Republic of Yugoslavia.

3. The visa shall be granted free of charge at the earliest possible date, and not later than thirty days after the date of presentation of the permit to the competent authorities for that purpose. Both Parties agree that the procedure for the issue of visas shall be completed, as a rule, during the month of January of each year.

4. If the authorities of one of the Contracting Parties refuse a visa, they shall inform the competent authorities of the other Contracting Party within fifteen days.

Article XI

METHOD OF USE

1. Frontier permits shall be valid solely for the purposes and localities in respect of which they are issued.

2. Frontier permits shall explicitly specify the purposes and localities in respect of which they are issued and the crossing points at which they must be used.

3. The crossing points to be used for the minor frontier traffic shall be those hitherto in use, and those subsequently designated by common agreement between the competent local authorities of the two Contracting Parties for the purpose of enabling the persons concerned to use shorter routes.

4. Crossing points may be closed on Sundays and national holidays. In addition, the competent local authorities of both Parties may, in agreement, order the temporary closure of one or more crossing points during periods when agricultural work is suspended or when there is no need to cross the frontier.

5. Holders of frontier permits shall not be permitted to deviate from the shortest route of access to the authorized localities, and must return on the same day and at the same crossing point, before the hour of closure of the said crossing point. The frontier permit shall not entitle its holder to spend the night in the territory of the other State, except in the cases provided for in the present agreement.

6. Holders of frontier permits shall not be permitted to leave the properties specified thereon, except in cases of extreme emergency. In such cases they shall be required to obtain the permission of the local authorities.

7. On working days, frontier crossing points may be crossed during the period from sunrise to sunset, i.e.: during the months of January and December, between 8 a.m. and 5 p.m.; February and November, 7.30 a.m. to 5.30 p.m.; March and October, 7 a.m. to 6 p.m.; April and August, 5.30 a.m. to 7.30 p.m.; September, 6 a.m. to 7 p.m.; May, June and July, 4 a.m. to 9 p.m. (Central European time).

Article XII

FRONTIER TRANSIT IN SPECIAL CASES

1. In the event of special emergency, such as death, illness or in cases of *force majeure*, and for the purpose of urgent business, inhabitants of the frontier zone may, by previous agreement between the District Popular Committees (Internal Affairs Section) of the Federal People's Republic of Yugoslavia and the Italian frontier control authorities, be authorized to cross the frontier and enter the frontier zone of the other State with an individual *laissez-passer*.

2. *Laissez-passer* may be valid for not more than ten days, and shall entitle the holder to stay in the specified locality for three days at the utmost. The holder of such *laissez-passer* may cross the frontier only once and at the crossing point specified thereon.

3. The facilities provided for in the present article shall be extended to workers employed by water and electricity services supplying both countries.

4. The *laissez-passer* referred to above shall conform to the attached specimen (annex 4), which constitutes an integral part of the present agreement.

Article XIII

WITHDRAWAL OF PERMITS

1. In the event of misuse, a frontier permit may at any time be withdrawn by the frontier authorities of either of the Contracting Parties, without prejudice to the imposition of penalties for any illegal acts which may have been committed in the foreign territory by the holder or by any minors in his charge.

2. Notice of the withdrawal of a frontier permit and the reasons therefor shall be communicated within three days to the authority which issued it.

3. In the event of deprivation of liberty, the local authorities shall notify the competent authorities of the country of which the person concerned is a national within three days, stating the reasons.

Article XIV

DISPUTES

1. Any disputes which may arise in connexion with the carrying-out of the present agreement shall be settled by agreement between the competent Yugoslav and Italian authorities.

Article XV

TAXES AND IMPOSTS

1. Taxes and imposts paid in respect of properties situated beyond the frontier shall not be higher than those paid by citizens of the State in the territory of which such properties are situated.

Article XVI

FREE ENJOYMENT OF PROPERTIES

1. Each of the Contracting Parties undertakes, in relation to the other, to guarantee the free enjoyment of properties situated in its own territory, in accordance with the provisions of the present agreement.

Article XVII

DURATION OF THE AGREEMENT

1. The present agreement shall remain in force for one year, and shall be tacitly renewed from year to year unless denounced three months before expiry by one of the two Contracting Parties.

Article XVIII

ENTRY INTO FORCE

1. The present agreement shall enter into force simultaneously in the two countries on the day of signature.

DONE at Udine on the third day of February of the year nineteen hundred and forty-nine in duplicate copies comprising eleven pages, in the Italian and Serbo-Croat languages, both texts being equally authentic.

For the Yugoslav Government:

(Signed) Neg. OCOKOLJIĆ

For the Italian Government:

(Signed) F. CANCELLARIO D'ALENA

ANNEX 1

FEDERAL PEOPLE'S REPUBLIC
OF YUGOSLAVIA

(or)

ITALIAN REPUBLIC

AUTHORIZATION

FOR TRANSIT ACROSS
THE YUGOSLAV-ITALIAN
FRONTIER

FRONTIER PERMIT

FOR THE ITALIAN-
YUGOSLAV FRONTIER

issued pursuant to article VII of the agreement of 3 February 1949 regarding the minor frontier traffic between the Federal People's Republic of Yugoslavia and the Italian Republic

NOTICE.

Frontier transit is permitted only at the points specified on page 3 of the present permit. Holders of permits may remain beyond the frontier only one day, from sunrise to sunset, and must use the shortest route to the place where the properties concerned are situated. They may not go outside these without the special authorization of the local State authorities.

The holder of the present permit must at once report to the competent Internal Affairs Section the names of any members of his family leaving his household and of any workers terminating their employment with him, so that they may be cancelled from the present permit.

This permit is at the same time valid as an identity document in respect of the holder.

In the event of misuse, it may be withdrawn by the frontier authorities as provided in article XIII of the agreement of 3 February 1949 between Italy and the Federal People's Republic of Yugoslavia regarding the minor frontier traffic.

— 1 —

No.
(Headpiece)

FEDERAL PEOPLE'S REPUBLIC
OF YUGOSLAVIA

(or) ITALIAN REPUBLIC

Internal Affairs Section
of the District Executive Committee
of

Province of
Frontier Control Sector of

AUTHORIZATION

FRONTIER PERMIT

FOR TRANSIT ACROSS THE
YUGOSLAV-ITALIAN FRONTIER

FOR THE ITALIAN-YUGOSLAV
FRONTIER

— 2 —

PHOTOGRAPH OF THE HOLDER

EMBOSSSED STAMP

SIGNATURE OF THE HOLDER

.....

Build
Height
Hair
Face
Forehead
Eyes
Nose
Mouth
Beard
Special characteristics
.....
.....

— 3 —

Internal Affairs Section (or) Prefecture of

of the District Executive Committee of

No.

No.

FRONTIER PERMIT

for

Christian name and surname

Father's name Mother's name

Date of birth at

Address

Crossing the frontier as owner

tenant

representative of a corporate body

Nature and area of the property Woods ha sq. metres

Fields ha sq. metres

Pastures ha sq. metres

Meadows ha sq. metres

Vineyards ha sq. metres

Location of property

Owner of property

Duration of lease

Place of frontier transit

No. 517

— 4 —

Frontier transit is also permitted to the persons named below:

Members of the holder's family under 7 years of age:

.....	born
.....	“
.....	“
.....	“

Members of the holder's family over 7 years of age:

(1)	special transit pass No.
(2)	“
(3)	“
(4)	“

Workers

(1)	special transit pass No.
(2)	“
(3)	“
(4)	“

THIS FRONTIER PERMIT IS VALID FROM TO
..... date

The Head of the
Internal Affairs Section
of the
District Executive Committee:

(or)

The Prefect:

— 5 —

VISA

RENEWALS

|

— 6 —

Number and kind of livestock used daily for work or driven daily to pasture:

Horses

Oxen

Number and kind of livestock driven across the frontier for seasonal pasturage:

Cattle

Sheep

Swine

Increment of livestock during seasonal pasturage:

Calves date of notification

Lambs “

The young dropped during seasonal pasturage must be entered in the present permit within fourteen days (article VII, paragraph 3 of the Italian-Yugoslav agreement of 3 February 1949 regarding the minor frontier traffic).

Number of beehives conveyed for seasonal nectar-gathering:.....

New swarms of bees on return from seasonal nectar-gathering:

Number date of notification

“ “

“ “

- 7 -

NATURE AND QUANTITY OF PRODUCTS TRANSPORTED

- 8 -

ESTIMATED HARVEST

- 9 -

ACTUAL HARVEST

- 10 to 26 -

LIST OF AGRICULTURAL TOOLS AND INSTRUMENTS, MEANS OF TRANSPORT AND DRAFT AND PASTURE
CATTLE CROSSING THE FRONTIER DAILY

Federal People's Republic of Yugoslavia

Italy

.....
.....
.....
.....

.....
.....
.....
.....

ANNEX 2

No.

ITALIAN REPUBLIC

Internal Affairs Section
of the District Executive Committee
of(or) Prefecture of
Frontier Control Sector of

No.

FRONTIER PASS No.

supplementary to Frontier Permit No.

(issued pursuant to article VII of the agreement of 3 February 1949 regarding the minor frontier
traffic between the Federal People's Republic of Yugoslavia and the Italian Republic)

Christian name and surname

Name of father Name of mother

Date and place of birth

Address

Location of the frontier property

Name of the owner or tenant of the property.....

Occupation

Frontier transit point

Valid from to

Date

The Head of the Internal Affairs Section (or)
of the District Executive Committee:

The Prefect:

VISA

DESCRIPTION

Build

Height

Hair

Face

Forehead

Eyes

Nose

Mouth

Beard

Special characteristics

.....

PHOTOGRAPH
EMBOSSSED STAMP

SIGNATURE OF THE HOJDER

.....

This pass may be used only in conjunction with the frontier permit and in accordance with the regulations laid down therefor.

RENEWALS

|

ANNEX 3

No.

ITALIAN REPUBLIC

Internal Affairs Section
of the District Executive Committee
of

(or)

Prefecture of
Frontier Control Sector of

No.

SEASONAL RESIDENCE PERMIT

FOR HERDSMEN, CHARCOAL BURNERS AND WOODCUTTERS

for use in conjunction with Frontier Trans Pass No.

and Frontier Permit No.

(pursuant to article IX of the agreement of 3 February 1949 regarding the minor frontier traffic between the Federal People's Republic of Yugoslavia and the Italian Republic)

Christian name and surname

Father's name Mother's name

Date and place of birth

Address

Location of property

Name of owner

Occupation

Place of transit

In the locality of may remain continuously

from to

Date

The Head of the Internal Affairs Section (or)
of the District Executive Committee:

The Prefect:

VISA

No. 517

ANNEX 4

No.....

ITALIAN REPUBLIC

Internal Affairs Section
of the District Executive Committee
of

(or) Province of

Frontier Control Sector of

No.

TEMPORARY AUTHORIZATION
FOR FRONTIER TRANSIT

SPECIAL TEMPORARY
EMERGENCY TRANSIT PASS

(Article XII of the agreement of 3 February 1949 regarding the minor frontier traffic between
the Federal People's Republic of Yugoslavia and the Italian Republic)

Comrade (or Mr.)

Father's name Mother's name

Born at on the

Resident at

Holding identity card number, issued by the commune of

is authorized to cross the frontier once at the frontier crossing point of

..... in order to proceed to

with a view to visiting

for the following reason

He may remain in the said locality for three days after the date of transit.

The present pass must be used within ten days of the date of issue.

Date

The Head of the Internal Affairs Section (or)
of the District Executive Committee:

Chief of Frontier Control
Sector of