

No. 383

**CZECHOSLOVAKIA**  
and  
**HUNGARY**

**Verbal Note by which the Czechoslovak Government, in pursuance of article 10 of the Peace Treaty with Hungary, notified the Hungarian Government of those pre-war bilateral treaties between the two countries which Czechoslovakia desires to keep in force. Budapest, 27 February 1949**

*Czech and Hungarian official texts communicated by the Permanent Representative of Czechoslovakia to the United Nations. The registration took place on 9 March 1949.*

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**TCHÉCOSLOVAQUIE**  
et  
**HONGRIE**

**Note verbale par laquelle le Gouvernement tchécoslovaque a notifié au Gouvernement hongrois, conformément à l'article 10 du Traité de paix avec la Hongrie, les traités bilatéraux conclus entre les deux pays antérieurement à la guerre, dont la Tchécoslovaquie désire le maintien en vigueur. Budapest, 27 février 1949**

*Textes officiels tchèque et hongrois communiqués par le représentant permanent de la Tchécoslovaquie auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 9 mars 1949.*

## TRANSLATION — TRADUCTION

No. 383. VERBAL NOTE BY WHICH THE CZECHOSLOVAK GOVERNMENT IN PURSUANCE OF ARTICLE 10 OF THE PEACE TREATY WITH HUNGARY, NOTIFIED THE HUNGARIAN GOVERNMENT OF THOSE PRE-WAR BILATERAL TREATIES BETWEEN THE TWO COUNTRIES, WHICH CZECHOSLOVAKIA DESIRES TO KEEP IN FORCE. BUDAPEST, 27 FEBRUARY 1949

No. 978/48

## VERBAL NOTE

Acting upon instructions from its Government, the Legation of the Czechoslovak Republic has the honour to inform the Hungarian Ministry of Foreign Affairs that, in accordance with the provisions of article 10 of the Peace Treaty with Hungary concluded in Paris on 10 February 1947, the Czechoslovak Government desires that the following bilateral conventions concluded between Czechoslovakia and Hungary before the war should remain in force:

1. Convention between the Czechoslovak Republic and the Kingdom of Hungary regarding the settlement of debts and claims expressed in former Austrian and Hungarian crowns, concluded at Budapest on 26 May 1928;<sup>1</sup>

2. Rules of procedure of the arbitration commissions set up under article 13, paragraph 5, of the convention dated 26 May 1928 between the Czechoslovak Republic and the Kingdom of Hungary regarding the settlement of debts and claims expressed in former Austrian and Hungarian crowns;<sup>2</sup>

3. Convention between the Czechoslovak Republic and the Kingdom of Hungary concerning the settlement of technical and economic questions on the Czechoslovak-Hungarian frontier section of the Danube and on that of the Tisza below the confluence of the Szamos, concluded at Budapest on 24 August 1937.<sup>3</sup>

The Legation of the Czechoslovak Republic has the honour, etc.

Budapest, 27 February 1948.

Hungarian Ministry of Foreign Affairs  
Budapest

<sup>1</sup> League of Nations, *Treaty Series*, Volume CI, page 265.

<sup>2</sup> See page 130 of this volume.

<sup>3</sup> League of Nations, *Treaty Series*, Volume CLXXXIX, page 403.

## RULES OF PROCEDURE OF ARBITRATION COMMISSIONS

*as set up under article 13, paragraph 5, of the convention of 26 May 1928 between the Czechoslovak Republic and the Kingdom of Hungary regarding the settlement of debts and claims expressed in former Austrian and Hungarian crowns, (hereinafter referred to as "the Convention")*

*Paragraph 1*

The Arbitration Commissions set up at the two clearing offices in accordance with article 13, paragraph 5, of the Convention shall be empowered to hear applications lodged against payment orders issued by the clearing offices.

*Paragraph 2*

The competent Arbitration Commission shall be that set up at the clearing office of the debtor.

*Paragraph 3*

Applications must be lodged with the clearing office of the debtor within thirty days from the date on which the contested payment order was served on the appellant.

A creditor may also lodge an application with his own clearing office.

The time-limit shall be reckoned from the day immediately following the date of service (with return voucher).

The time needed for transmission by mail shall not be counted in the time-limit if it is proved that the application was delivered to the postal administration within the prescribed time-limit. If the time-limit expires on a Sunday or on a holiday legally recognized in either of the Contracting States the next working day shall be considered as the last day of the time-limit.

*Paragraph 4*

Applications, which under article 19 of the Convention are exempt from stamp duty, must contain:

- (a) The designation of the parties, or, where necessary, of their agents (name and surnames, residence);
- (b) A brief statement of the basic facts;
- (c) Accompanying recommendations, if any;
- (d) The specific application;

(e) The signature of the applicant, his legal representative or his agent.

Applications must be submitted in four copies, one of which is for the files of the Arbitration Commission and the other three for the parties (creditor, debtor) and the clearing offices if the parties and the clearing offices are not appearing as applicants.

If objection is lodged by several persons an additional copy shall be provided for each person.

#### *Paragraph 5*

The party making the application shall deposit as security for the costs of the proceedings 1 per cent of the contested amount, but in no case less than 5 pengös or 30 Czechoslovak crowns nor more than 100 pengös or 600 Czechoslovak crowns.

The clearing office to which application was made shall fix the amount of the security.

A time-limit of thirty days shall be fixed for depositing the security. If the security has not been deposited within that period the application shall be held to have not been lodged.

Parties resident in Czechoslovakia shall deposit the security at the Bratislava branch of the Zemska Banka; parties resident in Hungary, at central banking institutions (*Pénzüntézet*) in Budapest.

If the application is granted the security shall be returned to the party who deposited it.

#### *Paragraph 6*

If an application is so defective in form that it cannot be properly dealt with, the clearing office of the debtor shall return it to the applicant in order that the defects may be removed and the application re-submitted within a short period of time. If the applicant resides within the territory of the other State this shall be done through the appropriate clearing office.

If the required amendment is not made by the date fixed, the application shall be held to have not been submitted.

#### *Paragraph 7*

The second party and the clearing offices shall have the right to submit written statements within thirty days after an application has been lodged.

*Paragraph 8*

The meetings of the Arbitration Commissions shall not be public and the parties shall not be entitled to attend them; the Arbitration Commissions shall have the right, however, to summon the parties to appear before them for questioning either in person or through their representatives.

*Paragraph 9*

An application which has been submitted tardily (article 3) or which is held to have not been submitted (article 5, paragraph 3, and article 6, paragraph 2) shall be summarily dismissed by decision of the Arbitration Commission.

*Paragraph 10*

The Arbitration Commission shall also have power to fix the costs of the proceedings and to determine which party must pay them.

It shall also decide whether to return the security or use it to defray the costs of the proceedings (article 5).

The same shall also apply to cases where the Arbitration Commission rules on the withdrawal of an application.

*Paragraph 11*

The clearing office of the debtor shall draw up and transmit the rulings of the Arbitration Commission to the applicant, the opposing party and the other clearing office.

*Paragraph 12*

There shall be no appeal in law from the rulings of the Arbitration Commission. The rulings shall be enforceable in both Contracting States (article 13, paragraphs 5 and 8, of the Convention).

*Paragraph 13*

The present rules of procedure have been drawn up in the Czech and the Hungarian languages, both texts being equally authentic.

The rules of procedure shall come into force on the day on which they are simultaneously promulgated in Prague and in Budapest.