

No. 8369

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**HUNGARY  
and  
ROMANIA**

**Treaty concerning the regime of the Hungarian-Romanian  
State frontier and co-operation in frontier matters (with  
annexes). Signed at Budapest, on 13 June 1963**

*Official texts: Hungarian and Romanian.*

*Registered by Hungary on 9 November 1966.*

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**HONGRIE  
et  
ROUMANIE**

**Traité relatif au régime de la frontière d'État hungaro-rou-  
maine et à la coopération en ce qui concerne les questions  
de frontières (avec annexes). Signé à Budapest, le  
13 juin 1963**

*Textes officiels hongrois et roumain.*

*Enregistré par la Hongrie le 9 novembre 1966.*

## [TRANSLATION — TRADUCTION]

No. 8369. TREATY<sup>1</sup> BETWEEN THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE ROMANIAN PEOPLE'S REPUBLIC CONCERNING THE REGIME OF THE HUNGARIAN-ROMANIAN STATE FRONTIER AND CO-OPERATION IN FRONTIER MATTERS. SIGNED AT BUDAPEST, ON 13 JUNE 1963

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The Government of the Hungarian People's Republic and the Government of the Romanian People's Republic, desiring to establish the rules required for the proper maintenance of the regime of the Hungarian-Romanian State frontier and to regulate co-operation in frontier matters with a view to strengthening and further developing such co-operation, have decided to conclude this Treaty and for that purpose have appointed as their Plenipotentiaries :

The Government of the Hungarian People's Republic :

László Földes, First Deputy Minister for Internal Affairs;

The Government of the Romanian People's Republic :

Mihail Roșianu, Ambassador Extraordinary and Plenipotentiary to the Hungarian People's Republic,

who, having exchanged their full powers, found in good and due form, have agreed as follows :

### Chapter I

#### COURSE OF THE STATE FRONTIER, MAINTENANCE OF FRONTIER MARKS AND OF THE FRONTIER LINE

##### *Article 1*

1. The State frontier line between the Hungarian People's Republic and the Romanian People's Republic, established in accordance with article 1, paragraph 2, of the Treaty of Peace between Hungary and the Allied and Associated Powers, signed at Paris on 10 February 1947,<sup>2</sup> with article 2 of the Treaty of Peace between Romania and the Allied and Associated Powers, signed at Paris on 10 February 1947,<sup>3</sup> and with article 27, paragraph 3, of the Treaty of Peace concluded at Trianon on 4 June 1920,<sup>4</sup> shall be traced and marked on the ground in the manner shown in the following demarcation documents :

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<sup>1</sup> Came into force on 4 June 1964, the date of the exchange of the instruments of ratification at Budapest, in accordance with article 59.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 41, p. 135.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 42, p. 3.

<sup>4</sup> *British and Foreign State Papers*, Vol. 113, p. 486.

(a) The introductory fascicle " General Provisions " (*Dispositions Générales*), drawn up at Oradea (Nagyvárad) on 27 June 1925 by the Boundary Commission established under the terms of the Treaty of Trianon of 4 June 1920;

(b) The ten-volume descriptive protocol containing a detailed description of the frontier sectors (*Description détaillée de la frontière et registre d'abornement*), as corrected in accordance with the changes that have occurred and with the verification of frontier marks carried out during the years 1948-1951 and annually beginning in 1952;

(c) The map of the frontier, comprising 126 sections and drawn to a scale of 1:5,000;

(d) The protocol containing a detailed description of frontier sector " N ", drawn up at Oradea (Nagyvárad) on 22 August 1950;

(e) The frontier map for frontier sector " N ", comprising four sections and drawn to a scale of 1:5,000;

(f) The documents relating to frontier mark " TUR ", situated at the junction of the frontiers of the Hungarian People's Republic, the Romanian People's Republic and the Union of Soviet Socialist Republics, which were signed at Moscow on 30 July 1949.

2. The State frontier line is referred to hereafter in this Treaty as " the frontier " or " the frontier line ".

### Article 2

The frontier line as defined in the documents referred to in article 1 of this Treaty shall also divide vertically the air space and the subsoil.

### Article 3

1. In sectors where it runs over land, and also where it crosses standing or running waters, the frontier shall, as a rule, extend in a straight line from one frontier mark to the next.

2. In sectors where it runs over land containing irregular terrain features (precipices, ditches, marshes, ravines, etc.), the frontier shall proceed in a straight, broken or crooked line.

3. In sectors where it follows watercourses, the frontier shall proceed variously in a straight, broken or crooked line as follows : on unnavigable rivers, streams, ditches and canals, it shall follow the middle of the river, stream, ditch or canal in question or the middle of the main branch; on navigable rivers, it shall follow the middle of the main fairway.

4. The course of the frontier in land and water sectors is shown in detail in the demarcation documents referred to in article 1 of this Treaty.

5. Islands in frontier rivers shall be deemed to be part of the territory of one Party or the other according to their position in relation to the frontier line.

Islands shall be numbered serially starting with No. 1 for each river separately, irrespective of the territory to which they belong.

#### Article 4

1. On navigable rivers, the course of the frontier shall vary with the natural changes occurring in the middle of the main fairway, except in the case of the regulated section of the Maros (Mures) river, where the frontier shall remain unchanged, as provided in article II, paragraph 3, of the introductory fascicle "General Provisions" (*Dispositions Générales*) drawn up at Oradea (Nagyvárad) on 27 June 1925 by the Boundary Commission established under the terms of the Treaty of Trianon of 4 June 1920.

2. On unnavigable rivers, streams and canals, the course of the frontier shall vary with the displacement of the middle of such rivers, streams and canals caused by natural changes in the configuration of their banks.

3. In determining on the ground a frontier line following the middle of a river, stream or canal, any existing creeks shall be disregarded and the middle of such rivers, streams and canals shall in such cases be deemed to be a straightened line equidistant from the similarly corrected lines of both banks.

Where the line of the banks cannot be accurately determined, the middle of the frontier watercourses referred to in this paragraph shall be deemed to be the middle of the water surface at mean water level.

4. The changes referred to in paragraphs 1 and 2 of this article shall, as necessary, be attested jointly by the competent authorities of the two Parties.

The documents attesting to changes in the position of the middle of frontier rivers, streams and canals or of the middle of the main fairway of navigable rivers shall not be annexed to the demarcation documents but shall be kept by the competent authorities of the Contracting Parties responsible for the frontier sector concerned.

5. Changes in the bed of a frontier river, stream or canal which are due to natural causes and which involve changes in the territorial status of land holdings, inhabited localities, installations of material value, structures and the like shall not affect the course of the frontier unless the Contracting Parties agree otherwise during the joint operations, provided for in article 5 of this Treaty, to check the course of the frontier in water sectors of the frontier.

6. If changes resulting from natural causes occur in the position of the middle of the main fairway or of the middle of unnavigable frontier rivers, streams or canals, the course of the frontier and the territorial status of islands

shall remain unchanged in conformity with the existing frontier demarcation documents until the changes in question have been jointly attested by the competent authorities and the formalities provided for in article 5 of this treaty have been completed.

7. If changes of the type referred to in paragraph 5 of this article have occurred and the measures specified in article 16, paragraph 4, of this Treaty cannot be carried out and if the frontier line no longer follows the river, stream or canal, the said line shall be determined during the joint operations, provided for in article 5 of this Treaty, to check the course of the frontier in water sectors of the frontier.

### *Article 5*

1. At ten-year intervals, starting in 1964, the competent authorities of the Contracting Parties shall make a joint check on the course of the frontier on frontier rivers, streams and canals by taking measurements and carrying out other operations on the ground. Such checks may, where necessary, be undertaken at an earlier date in particular sectors if the competent authorities of one of the Contracting Parties so request.

2. The joint operations to check the course of the frontier in water sectors of the frontier shall be carried out during the summer. The competent authorities of the Contracting Parties shall, by agreement, fix the starting date for the joint operations to check the course of the frontier far enough in advance to enable each Party to make all necessary preparations.

3. If it is found, on referring to the data contained in the demarcation documents, that changes have occurred in the course of the frontier in particular sectors of rivers, streams or canals, the competent authorities of the Contracting Parties shall establish the new course of the frontier and shall determine the territorial status of the islands in such sectors of the frontier in accordance with the provisions of article 3, paragraph 5, of this Treaty.

4. For sectors of rivers, streams and canals where the course of the frontier has changed, the competent authorities of the Contracting Parties shall draw up in duplicate, in the Hungarian and Romanian languages, new demarcation documents consistent with the demarcation documents referred to in article 1 of this Treaty.

5. The new demarcation documents for water sectors of the frontier drawn up by the competent authorities of the Contracting Parties shall be subject to approval by the Governments of the two Contracting Parties and shall become effective on the date of the exchange of communications concerning their approval.

6. The new documents for particular sectors of rivers, streams and canals referred to in paragraph 5 of this article shall replace, in respect of the sectors

in question, the demarcation documents referred to in article 1, paragraph 1, of this Treaty.

7. In order to carry out the operations referred to in paragraph 1 of this article, the competent authorities of each Party shall employ the services of specialists and of such other persons as may be required.

The expenses connected with these operations shall be divided equally between the two Contracting Parties.

#### Article 6

1. The frontier shall be marked on the ground by the following frontier marks :

(a) In the case of single-line marking, by joint frontier marks (main and intermediate stone markers and stone markers indicating the end of the sector) situated on the frontier line;

(b) In the case of paired or alternate marking, by the placing in pairs or alternately, on both sides of the frontier, of frontier marks, reference stones or polygonal stones; in marshland or floodland, it shall be marked by posts situated on the frontier line;

(c) The junction of the frontiers of the Hungarian People's Republic, the Romanian People's Republic and the Union of Soviet Socialist Republics shall be marked by three granite reference marks (*triplex confinium*), and the junction of the frontiers of the Hungarian People's Republic, the Romanian People's Republic and the Socialist Federal Republic of Yugoslavia shall be marked by a granite marker (*triplex confinium*).

2. The frontier marks shall be as described and their position in relation to the frontier line shall be as indicated in the demarcation documents referred to in article 1, paragraph 1, of this Treaty and in such additional documents as may be drawn up during the term of this Treaty.

#### Article 7

The Contracting Parties undertake so to maintain the frontier marks set up to mark the frontier line and also the frontier clearings that the position, appearance, form, size and colour of the frontier marks and the width of the clearings and the condition in which the clearings are kept meet the requirements set forth in the demarcation documents referred to in article 1, paragraph 1, of this Treaty.

#### Article 8

Responsibility for the maintenance of frontier marks shall be shared between the Contracting Parties as follows :

1. The maintenance, repair, restoration and replacement of frontier marks set up on the frontier line (on the basis of single-line marking) shall be the responsibility of the competent authorities of the Hungarian People's Republic in sectors B, D, E, F and G and of the competent authorities of the Romanian People's Republic in sectors N, A, C, H, K and L.

2. The maintenance, repair, restoration and replacement of frontier marks not referred to in paragraph 1 of this article and of trigonometric marks shall be effected by the competent authorities of the Contracting Party in whose territory such marks are situated.

### *Article 9*

1. The condition and siting of frontier marks and frontier clearings shall be inspected on the ground by the competent authorities of the Contracting Parties at their discretion and in accordance with article 8 of this Treaty. In addition to such independent inspections, joint inspections of frontier marks shall be made once every two years by the competent authorities of the Contracting Parties.

2. The joint inspections of frontier marks shall be made during the summer. The competent authorities of the Contracting Parties shall agree on the starting date for each joint inspection of frontier marks.

3. Should it be necessary to make an additional joint inspection of frontier marks, the competent authorities of one Contracting Party shall so notify, in writing, the competent authorities of the other Contracting Party. The additional joint inspection of frontier marks shall begin not later than ten days after the receipt of such notification.

4. If it is established on inspection that the measurement figures recorded in the demarcation documents do not coincide with the figures obtained as a result of the joint measurements taken on the ground and if it is established that the position of the frontier marks has not changed since the time of demarcation, the figures obtained as a result of the measurements taken on the ground shall be regarded as correct. If it is established that the position of a frontier mark has changed since the time of demarcation, the figures recorded in the demarcation documents shall be regarded as correct.

5. Any amendments or additions to frontier demarcation documents shall be made by agreement between the Contracting Parties and shall be annexed to the said documents.

6. Upon the completion of the joint inspection, the competent authorities of the Contracting Parties shall draw up a record in duplicate in the Hungarian and Romanian languages.

*Article 10*

1. If a frontier mark is lost, totally or partly destroyed or moved, it shall be replaced or restored by the competent authorities of the Contracting Party in whose territory the mark is situated or to whose care it has been assigned. The date of the start of work on the replacement or restoration of frontier marks must be communicated in writing to the competent authorities of the other Contracting Party not less than ten days before the start of such work.

2. The work referred to in paragraph 1 of this article shall be carried out in the presence of a representative of the competent authorities of the other Contracting Party. Upon the completion of the work, a record shall be drawn up in duplicate in the Hungarian and Romanian languages.

3. When a frontier mark is replaced or restored, care shall be taken not to change its site. For this purpose, due regard must be had to the demarcation documents and the particulars recorded therein must be verified on the ground by means of check measurements.

4. In water sectors of the frontier, when replacing or restoring frontier marks which have been destroyed or moved as a result of floods, drifting ice or the natural deterioration of the banks, it shall be permissible to transfer them to a different site where their preservation will be ensured, provided that the frontier line is not changed.

In order to prevent frontier marks from being moved, destroyed or damaged as a result of floods, drifting ice or the natural deterioration of the banks, steps may be taken in advance to transfer such frontier marks to a site where their preservation will be ensured.

Frontier marks may also, if necessary, be transferred in frontier sectors containing irregular terrain.

5. Decisions concerning the transfer of frontier marks shall be made by the competent authorities of the Contracting Parties. A record of transfers of frontier marks shall be drawn up by the competent authorities in duplicate in the Hungarian and Romanian languages, and a sketch-map of each transferred frontier mark shall be annexed thereto.

6. Where necessary, the competent authorities of the two Contracting Parties may, by agreement, set up additional frontier marks on the frontier line, provided that the course of the frontier is not changed as a result.

The documents referred to in paragraph 5 of this article shall be drawn up in respect of any additional frontier marks set up at the frontier.

7. Restored frontier marks and additional frontier marks set up at the frontier by the competent authorities of the Contracting Parties must conform to the specimens contained in the demarcation documents.



8. Maintenance and repair work on frontier marks assigned to the care of one Party or the other under article 8 of this Treaty shall be carried out independently by the Contracting Party concerned without participation by representatives of the competent authorities of the other Party.

9. The Contracting Parties shall take measures for the protection of frontier marks and shall bring to justice any person found guilty of moving, damaging or destroying them. In such cases, frontier marks shall be restored by the competent authorities of the Contracting Party whose residents caused the damage.

### *Article 11*

1. A frontier clearing ten metres wide as measured from the tree-tops—five metres on either side of the frontier line— shall be maintained in good order and, when necessary, cleared of bushes and other vegetation which hampers visibility. In this clearing the land may not be ploughed unless the competent authorities of the two Parties agree otherwise.

2. Each Party shall clean the frontier clearing in its own territory. The competent authorities of the Contracting Parties shall communicate to each other at least ten days in advance the date of the start of work on the cleaning of the frontier clearing.

3. The area surrounding frontier marks in the territory of each Contracting Party shall be left uncultivated, and the ground shall be cleared within a radius of one metre of the frontier marks so that they will be visible.

### *Article 12*

1. In sectors where the frontier runs over land, no installations or structures of any kind shall be permitted in a zone ten metres wide extending five metres on either side of the frontier line. The Contracting Parties shall take measures for the gradual removal of any installations or structures already existing in the said zone and shall prohibit the construction of new ones. These provisions shall not apply to installations and structures used for purposes of frontier protection.

2. The Contracting Parties shall ensure that installations and structures which remain as well as those constructed in the immediate vicinity of the frontier line meet the requirements of the fire prevention regulations.

The competent authorities of the Contracting Parties shall transmit to each other the said regulations.

## Chapter II

REGULATIONS GOVERNING THE USE OF FRONTIER WATERS AND OF RAILWAYS  
AND ROADS WHICH CROSS THE FRONTIER LINE*Article 13*

1. Those sectors of rivers, streams and canals along which the frontier line runs shall be deemed to be frontier waters.

2. The Contracting Parties shall take the necessary steps to ensure that, in the use of frontier waters, the provisions of this Treaty as well as all special regulations drawn up by agreement between the two Parties are complied with.

*Article 14*

1. On frontier rivers where the frontier line follows the middle of the main fairway, self-propelled vessels of both Contracting Parties and other vessels towed by them shall be entitled to navigate freely in the fairway, regardless of the course of the frontier. Boats shall be permitted to navigate only up to the frontier line.

2. Ships and boats of one Contracting Party may put in to the other Contracting Party's bank of a river only if they are in danger (in the event of a storm, damage, etc.). In such cases, the frontier authorities must render each other the necessary assistance.

*Article 15*

1. Ships and boats of the Contracting Parties may proceed in frontier waters only during daylight. At night they must be tied up to their own bank.

This provision shall not apply to vessels used for purposes of frontier protection.

The period of daylight shall be deemed to be the period beginning half an hour before sunrise and ending half an hour after sunset.

2. Self-propelled ships and ships in tow proceeding in frontier waters shall fly their national flag and carry an inscription showing their name or serial number.

Row boats shall show their serial number and the colours of their national flag on their bow and stern.

*Article 16*

1. The Contracting Parties shall ensure that frontier waters are kept in good condition and shall take steps to prevent wilful damage to their banks.

2. The position and direction of frontier watercourses must, in so far as possible, be preserved unchanged. To this end the two Parties shall, by agreement, take the necessary steps to remove any obstacles which may cause displacement of the beds of frontier rivers or streams or a change in the position of canals or which obstruct the natural flow of water.

3. In order to prevent displacement of the beds of frontier rivers, streams or canals, their banks must be strengthened wherever this is found, by agreement, to be necessary. Such works shall be executed and their cost defrayed by the Party to which the bank belongs.

4. Should a frontier river, stream or canal shift its bed spontaneously or as a result of some natural phenomenon, the Contracting Parties must, jointly and on the basis of equality, undertake the work of correcting the bed if that is found necessary.

5. The manner of executing the work referred to in this article and other hydraulic works as well as the manner of apportioning the resulting costs shall be determined in conformity with special regulations drawn up by agreement between the two Parties.

*Article 17*

1. The natural flow of water in frontier watercourses and in adjacent areas which are inundated during periods of high water must not be altered or obstructed to the detriment of the other Party by the erection or reconstruction of installations or structures in the water or on the banks.

2. Questions relating to the flow of other waters into frontier waters and the diversion of water therefrom as well as other questions relating to the regime of frontier waters shall be settled in conformity with special regulations drawn up by agreement between the two Parties.

*Article 18*

1. Bridges, dams and similar structures on frontier watercourses shall be preserved and may be used, with the exception of those whose demolition is found necessary by the Contracting Parties.

2. If the reconstruction or demolition of any of the structures referred to in paragraph 1 of this article becomes necessary and such reconstruction or demolition will entail a change in the water level in the territory of the other Contracting Party, the work in question may be undertaken only after that Party's consent has been obtained.

3. No new bridges, dams, sluices, dikes or other hydraulic installations may be erected or used on frontier watercourses except by agreement between the Contracting Parties.

#### *Article 19*

1. Bridges constructed over frontier waters shall be intersected by the frontier line in the middle of the river, without regard to the course of the frontier over the water.

2. Bridges crossing the frontier which are open to traffic shall, unless a special agreement is concluded on the subject, be kept in good condition and in repair by each Contracting Party at its own expense up to the frontier line as marked on the bridge. The Contracting Parties shall agree in advance on the organization, timing and nature of repairs.

3. Each Contracting Party may, as necessary, make a technical inspection of sections of a frontier bridge situated in the territory of the other Party; the competent authorities of the other Party must be given not less than forty-eight hours' advance notice of any proposed inspection and of the date on which it is to begin and must be informed of the result of the inspection when it is completed. The inspection shall be carried out in the presence of the competent authorities of the other Party.

4. The rules governing traffic on frontier bridges and at other crossing points shall be established by agreement between representatives of the competent authorities.

5. The provisions of this article shall not apply to railway bridges.

6. No new bridges, foot-bridges or ferries may be constructed except by agreement between representatives of the Contracting Parties. The said representatives shall determine in advance the construction site, the type of bridge, foot-bridge or ferry and the method of apportioning the cost of its construction. The records drawn up concerning agreements of this kind shall be subject to approval by the competent higher authorities.

#### *Article 20*

The two Parties shall transmit to each other in good time any information concerning the level of water and ice conditions in frontier waters which is of interest to the Contracting Parties if such information may serve to avert danger from floods or drifting ice. Similarly, they shall agree, if necessary, on a regular system of signals to be used during periods of high water or drifting ice. Delay in transmitting, or failure to transmit, such information shall not constitute grounds for a claim to compensation for damage caused by floods or drifting ice.

*Article 21*

1. The two Parties may freely engage in the floating of timber throughout the length of the frontier watercourses.

2. The dates and procedure for launching timber and floating it in accordance with paragraph 1 of this article shall be determined each year in advance by the competent authorities of the two Contracting Parties and, in any case, not later than two months before navigation opens on the frontier watercourses. The competent authorities of the Contracting Parties shall give each other at least five days' notice of the starting date of floating operations.

*Article 22*

1. In order to ensure that timber-floating operations proceed smoothly, the competent authorities of the two Contracting Parties may by agreement, in accordance with article 52, paragraph 5, of this Treaty, permit workmen to land and move about on the opposite bank in order to construct temporary floating installations and to clear the bank of accumulations of timber so as to facilitate the floating operations.

2. The place and time at which the workmen are to cross to the opposite bank in order to carry out the work referred to in paragraph 1 of this article, and the number of workmen required for the purpose, shall be agreed upon by the competent authorities of the Contracting Parties in good time and, in any case, at least five days before the work begins.

*Article 23*

1. All timber floated must be marked; for that purpose, representatives of the Contracting Parties shall by agreement establish and exchange specimen markings in advance.

2. The Contracting Parties shall take steps to ensure that, in cases where the floated timber is stripped of its bark, the material resulting from such stripping is not deposited in the bed of frontier watercourses.

*Article 24*

1. Traffic on railways, roads and waterways which cross the frontier, and the frontier crossing points on such routes, shall be regulated by special agreements between the Contracting Parties.

2. At places where railways, roads and waterways cross the frontier line, each Contracting Party shall take steps to install special signs in its territory—and, in the case of roads, to erect barriers—and to maintain them in good condition.

3. The Contracting Parties shall take steps to ensure that sectors of railways, roads and waterways which are open to traffic are maintained in good condition at places where they cross the frontier. Each Contracting Party shall keep them in repair at its own expense up to the frontier line.

#### *Article 25*

Should it become necessary, in carrying out the joint works referred to in articles 16, 18, 19 and 22 of this Treaty, to bring materials from the territory of one Contracting Party into the territory of the other Contracting Party, the materials brought across the frontier shall be exempt from all formalities and from all customs duties and other charges.

### Chapter III

#### FISHING, HUNTING, FORESTRY AND MINING

#### *Article 26*

1. Residents of the two Contracting Parties may fish in their own waters up to the frontier line in accordance with the regulations in force in their own territory but shall be prohibited :

(a) From using explosive, poisonous or narcotic substances capable of causing the mass destruction of fish;

(b) From fishing in frontier waters at night.

2. The Contracting Parties may conclude special agreements concerning the protection and development of fishing-breeding in frontier waters, the prohibition of fishing for particular species of fish in certain sectors, the dates of the fishing season and other measures of an economic nature relating to fishing.

#### *Article 27*

1. Each Contracting Party shall ensure that the game laws in force in its territory are strictly observed in the neighbourhood of the frontier line and that, when hunting is in progress, it is forbidden to shoot or pursue animals or birds across the frontier.

2. The competent authorities of the Contracting Parties shall, as necessary, agree on measures for the protection of animals and birds and on uniform closed seasons in particular sectors of the frontier.

*Article 28*

1. Each Contracting Party shall so conduct its forestry operations in the vicinity of the frontier as not to impair the forest economy of the other Party.

2. If a forest fire breaks out near the frontier, the Party in whose territory the fire began must do everything in its power to contain and extinguish the fire and to prevent it from spreading across the frontier.

3. If, however, a forest fire threatens to spread across the frontier, the competent authorities of the Contracting Party in whose territory the threat has arisen shall immediately warn the competent authorities of the other Contracting Party so that the necessary measures may be taken to contain the fire at the frontier.

4. If natural phenomena or felling operations cause trees to fall across the frontier line, the competent authorities of the Contracting Parties shall arrange for the removal of the trees to the territory of the Party to which they belong. In such cases, the competent authorities of the Party to which the trees belong shall notify accordingly the competent authorities of the other Party. Where such situations arise, trees taken across the frontier shall be exempt from all formalities and from all customs duties and other charges.

5. If it is reported that pests harmful to forest vegetation have appeared near the frontier and are showing a tendency to spread, the Parties shall exchange information and shall take the necessary preventive measures or joint control measures.

*Article 29*

1. Mining and the working of the subsoil in the immediate vicinity of the frontier shall be governed by the regulations of the Party in whose territory the workings are situated.

2. In order to safeguard the frontier line, there shall be on each side thereof a zone twenty metres wide in which the work referred to in paragraph 1 of this article shall, as a rule, be prohibited. Such work shall be permitted only in exceptional cases by agreement between the competent authorities of the Contracting Parties.

3. In cases where it is unnecessary to establish the zones referred to in paragraph 2 of this article, the competent authorities of the Contracting Parties shall agree on other precautionary measures to safeguard the frontier line.

## Chapter IV

## CROSSING OF THE FRONTIER BY PERSONS AND VEHICLES

*Article 30*

1. The frontier may be crossed by persons and vehicles only at agreed points and on the basis of appropriate documents.

2. Persons who have crossed over from the territory of one of the Contracting Parties at a frontier point and do not, in the opinion of the frontier-guard units of the other Party, have valid entry documents must be accepted forthwith by the Party from whose territory they came.

*Article 31*

1. Persons engaged, under an agreement between the appropriate authorities of the two Parties, in construction or maintenance work on communications routes, bridges, hydraulic installations or river beds, the taking of measurements or similar work may cross the frontier on the basis of special frontier-crossing certificates issued under the conditions laid down by each Party and in accordance with the agreements in force between the two Parties.

The competent authorities of the two Parties shall agree on the place and time of the crossing of the frontier by the above-mentioned persons and shall visa their certificates.

2. In the event of fire, floods or other disasters, fire brigades, rescue teams, technicians attached to the units in question, etc. may cross the frontier on the basis of group rolls at any hour of the day or night after reaching agreement on the time and place of the crossing with the competent authorities of the Contracting Parties.

*Article 32*

The regulations established in special agreements between the Parties shall remain in force at joint frontier stations established in the territory of either Contracting Party.



## Chapter V

## FRONTIER COMMISSIONERS AND THEIR RIGHTS AND DUTIES

*Article 33*

The competent authorities referred to in this Treaty shall be the frontier commissioners of the Hungarian People's Republic, the frontier commissioners of the Romanian People's Republic and their deputies.

*Article 34*

1. The Government of the Hungarian People's Republic and the Government of the Romanian People's Republic shall each appoint frontier commissioners and deputy frontier commissioners.

2. Each Contracting Party shall appoint two frontier commissioners and one or two deputies for each frontier commissioner.

The given names and surnames of the frontier commissioners and of their deputies shall be exchanged through the diplomatic channel.

*Article 35*

1. The frontier commissioners of the two Parties shall co-operate with one another in performing the duties arising out of the provisions of this Treaty.

2. When acting as representatives of the Parties, the deputies shall enjoy all the rights conferred on the frontier commissioners.

*Article 36*

1. The Contracting Parties agree that the sectors of operation and places of residence of the frontier commissioners shall be the following :

(a) In the case of the Hungarian People's Republic :

*Sector 1* : from the junction of the frontiers of the Hungarian People's Republic, the Romanian People's Republic and the Socialist Federal Republic of Yugoslavia (the *triplex confinium* frontier mark) to frontier mark " G " 56 situated opposite the locality of Nagykereki; the residence of the frontier commissioner shall be at Orosháza.

*Sector 2* : from frontier mark " G " 56 situated opposite the locality of Nagykereki to the junction of the frontiers of the Hungarian People's Republic, the Romanian People's Republic and the Union of Soviet Socialist Republics (the *triplex confinium* frontier mark); the residence of the frontier commissioner shall be at Nyirbátor.

(b) In the case of the Romanian People's Republic :

*Sector 1* : from the junction of the frontiers of the Hungarian People's Republic, the Romanian People's Republic and the Socialist Federal Republic of Yugoslavia (the *triplex confinium* frontier mark) to frontier mark " D " 41 situated opposite the locality of Sîclau; the residence of the frontier commissioner shall be at Arad.

*Sector 2* : from frontier mark " D " 41 situated opposite the locality of Sîclau to the junction of the frontiers of the Hungarian People's Republic, the Romanian People's Republic and the Union of Soviet Socialist Republics (the *triplex confinium* frontier mark); the residence of the frontier commissioner shall be at Oradea.

2. The Contracting Parties shall inform each other through the diplomatic channel of any changes in the particulars set forth in this article.

### Article 37

The competent authorities of the Contracting Parties shall be under a duty :

A. To take the necessary measures to prevent violations of the regime of the frontier established by this Treaty and to inform each other of such measures.

B. To investigate and settle any cases involving violations of the regime of the frontier, i.e. :

- (a) Violation or illegal crossing of the frontier;
- (b) Shooting across the State frontier;
- (c) Acts of violence against persons present in the territory of the other State which endanger such person's health, physical integrity or life;
- (d) The theft, damaging or destruction of property situated in the territory of the other State;
- (e) The crossing of the frontier by aircraft outside the lanes established by existing agreements;
- (f) The moving, damaging or destruction of frontier marks;
- (g) Photographing of the frontier zone of the other Party;
- (h) The spread of fire across the State frontier;
- (i) Conversations carried on across the frontier by unauthorized persons;
- (j) The movement of domestic animals and poultry across the frontier;
- (k) The discovery of boats or other floating objects or of fishing equipment originating from the territory of the other Party;
- (l) Other violations of the regime of the frontier which do not require settlement through the diplomatic channel.

C. To investigate and settle, within the limits of the rights conferred upon them, claims for compensation of any kind arising out of violations of the regime of the frontier and presented by one of the Parties or by persons present in its territory.

D. To hand over or accept persons, domestic animals, poultry or articles in the cases specified in this Treaty.

#### *Article 38*

1. In performing the duties prescribed by this Treaty, the frontier commissioners and their deputies shall be assisted by secretaries and, in appropriate cases, by experts.

2. The frontier commissioners shall communicate to each other the given names and surnames of their secretaries.

#### *Article 39*

1. The frontier commissioners and their deputies shall perform their joint functions at working sessions or at frontier meetings.

2. Working sessions or frontier meetings may be convened on the written proposal of the commissioner of either Contracting Party.

The invitation proposing a working session or frontier meeting must contain the date and place where it is to be held, the proposed agenda and, in the case of violations of the regime of the frontier, a brief description of such violations.

The invitation shall be delivered in such manner that the frontier commissioner of the other Contracting Party receives it at least three days before the date proposed for a working session or at least twenty-four hours before the date proposed for a frontier meeting.

3. The reply to an invitation shall be given, in the case of a working session, not later than forty-eight hours after its receipt and, in the case of a frontier meeting, not later than twenty-four hours after its receipt.

If the date proposed in the invitation for the working session or frontier meeting is unacceptable, the frontier commissioner who received the invitation shall propose another date when he gives his reply.

4. The frontier commissioner of one Party must attend a working session or frontier meeting proposed by the frontier commissioner of the other Party unless he is absent for a valid reason (sickness, official travel or leave). In the latter case, the frontier commissioner's deputy shall act for him and the frontier commissioner or his deputy shall give the frontier commissioner of the other Party advance notice to that effect.

5. By agreement between the frontier commissioners, working sessions and frontier meetings may also be held between their deputies.

6. Minor questions may be settled by correspondence between the frontier commissioners unless one of them insists that such a question should be discussed at a frontier meeting or working session. In such cases, a record shall not be drawn up.

#### *Article 40*

1. Working sessions or frontier meetings shall, as a rule, be held in the territory of the Contracting Party whose frontier commissioner has convened the session or meeting.

Working sessions or frontier meetings shall be directed by the frontier commissioner of the Contracting Party in whose territory the session or meeting is held.

2. The frontier commissioners or their deputies may be accompanied, at working sessions or frontier meetings, by secretaries and interpreters and, where necessary, by experts of each Party. A delegation so constituted may not include more than seven persons.

3. At the end of each year, the frontier commissioners shall hold a working session at which they shall analyse and evaluate the work carried on pursuant to this Treaty and shall, at the same time, decide on measures for improving future work.

#### *Article 41*

1. Decisions taken jointly by the frontier commissioners or their deputies in settlement of cases involving violations of the regime of the frontier shall be binding and final and shall take effect upon the signature of the record drawn up concerning the question which was discussed.

Claims for compensation in excess of 7,000 forints in the case of damage sustained in the territory of the Hungarian People's Republic or in excess of 5,000 lei in the case of damage sustained in the territory of the Romanian People's Republic shall be settled through the diplomatic channel.

2. Each frontier commissioner shall be entitled, at his discretion, to submit any question of particular importance for settlement through the diplomatic channel, after notifying the frontier commissioner of the other Party accordingly.

3. All frontier cases of particular gravity, such as homicide or grievous bodily harm, must be submitted for settlement through the diplomatic channel. In all such cases, the frontier commissioners of the two Parties must make the necessary investigation and draw up a record concerning the results of the investigation.

4. Any case in which the frontier commissioners fail to agree on a settlement shall be submitted for settlement through the diplomatic channel.

Nothing in this article shall preclude the possibility that a question which has been examined through the diplomatic channel may be referred back to the frontier commissioners for settlement.

#### *Article 42*

In order to ascertain the facts, the frontier commissioners or their deputies shall by prior agreement conduct on-site investigations into violations of the regime of the frontier. For that purpose, they shall be bound to take measures to preserve traces and other material evidence of the violations.

Such investigations shall be directed by the frontier commissioner of the Party in whose territory they take place.

Appropriate records and other documents concerning the investigations must be drawn up and annexed to the record of the session.

The said records and other documents shall be drawn up in accordance with the rules laid down in article 51 of this Treaty.

A joint on-site investigation shall not be regarded as a judicial investigation or similar proceedings lying within the competence of the judicial or administrative authorities of either Party.

#### *Article 43*

1. The frontier commissioners or their deputies shall draw up a record concerning the results of investigations and the decisions adopted.

2. If it is subsequently determined that the findings of a joint investigation are without foundation or obviously not in accordance with the facts, the frontier commissioners shall, within seventy-two hours of the signing of the record, propose that a new investigation should be held. If the holding of a new investigation is not proposed by one of the commissioners within the aforementioned time-limit, the decisions adopted in connexion with the on-site investigation shall remain final and shall become binding on the Parties.

#### *Article 44*

Persons who stray across the frontier or cross it unintentionally shall be handed over to the Party from whose territory they came, provided that they do not, after crossing the frontier, commit crimes or lesser offences provided for by and punishable under the laws of the State in whose territory they are apprehended.

The nature of a crossing of the frontier shall be determined by the competent authorities of the Contracting Party in whose territory the person in question is present.

*Article 45*

The competent authorities of the Contracting Parties shall take the necessary steps to apprehend persons who have improperly crossed the frontier. The frontier commissioners of the two Parties shall assist one another in searching for and apprehending such persons by making available whatever information is in their possession.

*Article 46*

1. Persons who commit the offence of improperly crossing the frontier shall be handed over, not later than seven days after their apprehension, to the Party from whose territory they came.

2. Either Contracting Party may refuse to hand over persons in the following categories who have improperly crossed the frontier :

- Persons who are nationals of the State whose territory they have entered;
- Stateless persons;
- Persons who are nationals of a third State;
- Persons who, in addition to the offence of improperly crossing the frontier, have committed crimes or lesser offences in the State whose territory they have entered.

The frontier commissioner of the other Contracting Party must be informed of all such cases.

3. The Contracting Parties may not refuse to accept their own nationals.

4. Persons who stray across the frontier or who cross it improperly shall be handed over by the frontier commissioners, by their deputies or by officers designated by the frontier commissioners as their representatives.

At the same time that such persons are handed over, any personal articles or valuables found in their possession at the time of their apprehension shall be returned in the condition in which they were found.

Where such persons are armed, the weapons found in their possession shall be returned together with the persons in question.

5. A record concerning the handing over and acceptance of persons shall be drawn up in conformity with the model shown in annex No. 1.

*Article 47*

1. The competent authorities of the Contracting Parties shall be bound to take the necessary steps to prevent domestic animals from straying across the State frontier.

2. Where domestic animals stray across the frontier, the competent authorities of the Contracting Parties shall take the necessary steps to search for them. Animals which are found shall be handed over in the sector in which they crossed the frontier and shall not be subject to any formalities or to customs duties and other charges.

3. No compensation may be claimed in cases where an animal that has strayed across the frontier cannot be found despite all the measures taken.

4. The competent authorities of the Contracting Parties shall also be bound to return to one another any articles or equipment which have entered their territory as a result of the operation of natural forces, violation of the frontier, or theft or robbery.

5. Domestic animals and articles shall be handed over by the frontier commissioners, by their deputies or by officers designated by the frontier commissioners as their representatives. The handing over and acceptance of domestic animals and articles shall be attested by a certificate drawn up in conformity with the model shown in annex No. 2.

#### *Article 48*

1. Where, as the result of a violation of the frontier, a national or a public or State organization of the other Contracting Party suffers damage and makes a claim for compensation in respect thereof, the frontier commissioners of the two States shall, in the light of the facts established in the course of the joint on-site investigation, jointly determine whether the claim is valid and fix the amount of the compensation. The determination concerning the validity of the claim and the amount of the compensation shall be made in accordance with the law of the State in whose territory the damage was suffered.

2. The decision concerning the validity of a claim for compensation and the amount of the compensation must contain :

- The name and domicile of the injured party;
- A description of the occurrence which caused the damage;
- The names of the persons responsible, if any;
- A detailed description of the damage sustained;
- A determination concerning the validity of the claim for compensation;
- A determination concerning the amount of the compensation.

#### *Article 49*

1. In connexion with compensation, the frontier commissioners shall apply to their respective Governments :

(a) For a decision if they have failed to reach agreement concerning the validity of the claim for compensation or the amount of the compensation;

(b) For approval if the amount of compensation fixed by agreement exceeds the amount specified in article 41, paragraph 1, of this Treaty and, if approval is granted, for the adoption of measures for settlement of the compensation.

2. The procedure for settlement between the two Contracting Parties of the compensation agreed upon shall be determined through the diplomatic channel.

#### *Article 50*

The frontier commissioners shall, by agreement, designate meeting points on the frontier for the exchange of their official correspondence, the handing over and acceptance of persons and articles under the provisions of this Treaty and the crossing of the frontier by the persons referred to in article 52.

Official correspondence shall be handed over by the frontier-guard units during the period from sunrise to sunset, even on holidays and other non-working days.

For that purpose, the frontier commissioners shall agree upon the signals to be used to summon the frontier-guard units.

#### *Article 51*

1. A record shall be drawn up concerning every joint action taken by the frontier commissioners and their deputies; the record shall be drawn up in duplicate in the Hungarian and Romanian languages, both texts being equally authentic.

2. The record must include all findings made and decisions adopted.

3. The record must be signed by the frontier commissioners of the two Parties or by their deputies.

4. Where no agreement is reached on a given matter, the record must include both points of view.

#### *Article 52*

1. The frontier commissioners and their deputies as well as secretaries, interpreters and experts may cross the frontier to perform official functions arising out of this Treaty.

2. The frontier commissioners and their deputies shall cross the frontier on the basis of credentials issued by the commanding officers of the respective frontier forces.

The credentials must bear the photograph and signature of the holder in conformity with the model shown in annex No. 3.



3. Secretaries, interpreters and other persons whose presence is required for the purpose of dealing with any matter shall cross the frontier on the basis of a group roll signed by the frontier commissioner of the Party concerned or by his deputy. The roll shall be valid for a period of twenty-four hours.

4. Persons whose presence is required for the clarification of any matter or for the execution of work entrusted to them by the frontier commissioner may cross the frontier in either direction on the basis of a list of names valid for a single crossing of the frontier within a period of twenty-four hours which shall be signed by the frontier commissioner of the Party concerned and visaed by the frontier commissioner of the other Party.

Groups of workers shall cross the frontier only in the daytime and in the company of a group leader and shall do so on the basis of a list of names signed by the frontier commissioner of the Party concerned and visaed by the frontier commissioner of the other Party.

5. The loss of a frontier-crossing certificate, group roll or list of names shall be reported forthwith to the nearest frontier-guard unit, which shall inform the frontier-guard units of the other Contracting Party of the occurrence.

The competent authorities of the two Parties shall notify each other of the cancellation of any of the frontier-crossing documents provided for in this Treaty.

6. Persons to whom frontier-crossing documents have been issued shall be advised of their obligation to comply with the foreign exchange and customs regulations of the two Parties. The frontier-crossing documents of persons who do not comply with the said regulations may be withdrawn by the Party which issued them.

### *Article 53*

1. The frontier commissioners and the other persons referred to in article 52, paragraph 1, of this Treaty shall be accorded by the Contracting Parties a guarantee of personal immunity and of the inviolability of official documents in their possession.

2. The above-mentioned persons shall be entitled to take with them to the territory of the other Party, without formalities of any kind and free of customs duties and other charges, the articles and means of transport necessary for their work, on condition that the same are returned, and also such food and tobacco as are needed.

3. The persons referred to in article 52 may not be detained while they are present in the territory of the other Party pursuant to the provisions of this Treaty.

*Article 54*

1. Persons entitled to cross the frontier shall be required to present their frontier-crossing documents to the frontier-guard units of the two Contracting Parties each time that they cross the frontier.

2. Each Contracting Party shall grant to persons of the other Party who are in its territory in connexion with the performance of duties under this Treaty all possible assistance in obtaining transport, lodging and facilities for communicating with their own authorities.

*Article 55*

1. The frontier shall be crossed only at the points designated in accordance with article 50 of this Treaty unless the frontier commissioners or their deputies have agreed on some other crossing point.

2. The date and hour of crossings of the frontier by the persons referred to in article 52, paragraph 1, of this Treaty shall be notified in good time, and in any case at least twelve hours in advance, by the frontier commissioners or their deputies to the frontier commissioners or deputy frontier commissioners of the Party in whose territory the session or meeting is to take place. The frontier commissioners or their deputies shall be bound to send an escort to the meeting-place.

3. The frontier commissioners and the other persons referred to in article 52, paragraph 1, of this Treaty shall be entitled to cross the frontier in uniform and bearing hand arms.

*Article 56*

The right to cross the frontier for the purpose of giving effect to the provisions of this Treaty may be suspended wholly or partially, as necessary, in the event of the frontier being closed for health or other reasons.

The competent authorities of the other Party shall be informed in advance of the suspension of the right to cross the frontier.

## Chapter VI

## FINAL PROVISIONS

*Article 57*

Each Contracting Party shall defray the expenses necessary for the performance of its duties under this Treaty.

*Article 58*

Upon the entry into force of this Treaty, the Convention between the Government of the Hungarian People's Republic and the Government of the Romanian People's Republic regulating the activities of frontier commissioners on the Hungarian-Romanian frontier, signed at Bucharest on 14 January 1958, shall cease to have effect.

*Article 59*

This Treaty is subject to ratification and shall enter into force on the date of the exchange of the instruments of ratification.

The exchange of the instruments of ratification shall take place at Bucharest as soon as possible.

*Article 60*

This Treaty shall remain in force for a period of ten years from the date of its entry into force. If neither Contracting Party gives notice six months before the expiry of the term of this Treaty that it is terminating the Treaty or wishes to make amendments thereto, the Treaty shall be automatically extended for a further period of ten years.

*Article 61*

This Treaty has been drawn up in duplicate in the Hungarian and Romanian languages, both texts being equally authentic.

SIGNED at Budapest, on 13 June 1963.

For the Government of the Hungarian People's Republic:	For the Government of the Romanian People's Republic:
FÖLDES László	Mihail ROȘIANU

## ANNEX No. 1

## RECORD OF THE HANDING OVER AND ACCEPTANCE OF PERSONS

Today ..... at ..... a frontier meeting was held  
 (day, month, year) (place of meeting)

and the following persons participated therein :

On behalf of the Hungarian People's Republic :

.....  
 (surname and given name, rank, capacity in which the person in question participated,  
 .....  
 number of frontier sector)

On behalf of the Romanian People's Republic :

.....  
 (surname and given name, rank, capacity in which the person in question participated,  
 .....  
 number of frontier sector)

The purpose of the meeting was the handing over and acceptance of the following  
 persons of ..... nationality :  
 (Hungarian or Romanian)

.....  
 (surname and given name, name of mother and year of birth; in the Romanian text, surname,  
 .....  
 name of father and given name)

who crossed into the territory of the ..... People's Republic  
 (Hungarian or Romanian)

on ..... at .....  
 (day, month, year) (place)

.....  
 (surname and given name, rank, capacity in which the person in question was acting)  
 acting on behalf of the ..... People's Republic, handed over and  
 (Hungarian or Romanian)

.....  
 (surname and given name, rank, capacity in which the person in question was acting)  
 acting on behalf of the ..... People's Republic, accepted the  
 (Hungarian or Romanian)

above-mentioned persons together with the following articles :

.....  
 (nature of article and person to whom it belongs)

At the time of handing over and accepting the persons and articles in question, the  
 person handing them over and the person accepting them raised the following objections

.....  
 (or raised no objections)

This record has been drawn up in duplicate in the Hungarian and Romanian languages,  
 both texts being equally authentic.

Signature of the frontier commissioner  
 (deputy frontier commissioner or repre-  
 sentative of the frontier commissioner)  
 of the Hungarian People's Republic :

Signature of the frontier commissioner  
 (deputy frontier commissioner or repre-  
 sentative of the frontier commissioner)  
 of the Romanian People's Republic :

## ANNEX No. 2

## CERTIFICATE CONCERNING THE HANDING OVER AND ACCEPTANCE OF ARTICLES OR ANIMALS

Pursuant to article 47 of the Treaty between the Government of the Hungarian People's Republic and the Government of the Romanian People's Republic concerning the regime of the Hungarian-Romanian State frontier and co-operation in frontier matters :

.....  
(surname, given name, rank, capacity in which the person in question was acting)

acting on behalf of the ..... People's Republic, handed over  
(Hungarian or Romanian)

and

.....  
(surname, given name, rank, capacity in which the person in question was acting)

acting on behalf of the ..... People's Republic, accepted the  
(Hungarian or Romanian)

following.....  
(what was handed over, its main characteristics and the circumstances in which

.....  
it crossed the frontier should be briefly indicated)

At the time of handing over and accepting the articles or animals in question, the person handing them over and the person accepting them raised the following objections (or raised no objections) .....

.....

Place .....  
(where meeting was held)

Date .....  
(year, month, day)

Signature of the frontier commissioner  
(deputy frontier commissioner or representative of the frontier commissioner)  
of the Hungarian People's Republic :

Signature of the frontier commissioner  
(deputy frontier commissioner or representative of the frontier commissioner)  
of the Romanian People's Republic :

.....

## ANNEX No. 3

## Page 1

## CREDENTIALS

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.....  
(signature of holder)

## Pages 2 and 3

[In the original of this document, pages 2 and 3 are identical,  
page 2 containing the Hungarian text and page 3 the Romanian text.]

The Government of the Hungarian People's Republic, pursuant to the Treaty between the Government of the Hungarian People's Republic and the Government of the Romanian People's Republic concerning the regime of the Hungarian-Romanian State frontier and co-operation in frontier matters, concluded at Budapest on 13 June 1963, has appointed ..... as the frontier commissioner  
(surname and given name, rank)  
(deputy frontier commissioner) of the Hungarian People's Republic in sector No. ....  
of the Hungarian-Romanian frontier.

He is empowered to perform all the duties prescribed in the above-mentioned Treaty and, in connexion therewith, is entitled to cross the Hungarian-Romanian frontier in the sector indicated and to remain temporarily in Romanian territory.

Commanding Officer of the Frontier Forces  
of the Hungarian People's Republic :

.....  
(surname and given name, rank)

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Budapest, ..... 19.....  
(day, month)