

AGREEMENT BETWEEN THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA AND THE REPUBLIC OF HUNGARY ON THE WORK OF MIXED COMMISSIONS FOR INVESTIGATING AND ASCERTAINING FRONTIER INCIDENTS. SIGNED AT SUBOTICA, ON 13 AUGUST 1949

The Government of the Federal People's Republic of Yugoslavia and the Government of the Republic of Hungary, desiring to prevent frontier incidents, and to establish the conditions necessary for the unimpeded operation of the frontier guard and the manner of appointment and the work of Mixed Commissions for the investigation of frontier incidents, have resolved to conclude an Agreement for that purpose and have appointed the following delegations:

Delegation of the Federal People's Republic of Yugoslavia:

Raus, Stevan, colonel of the Yugoslav Army,
Katana, Ladislav, deputy director, Ministry of the Interior,
Jankovic, Arsenije, major of the Yugoslav Army, and
Mirosevic, Ivan, first secretary, Ministry of Foreign Affairs.

Delegation of the Republic of Hungary:

Ersek, Tibor, lieutenant-colonel of police,
Nagy, András, captain of the Army, and
Hrabec, István, attaché of the Ministry of Foreign Affairs.

The said delegations, having exchanged their full powers, found to be in good and due form, have agreed as follows:

Article 1

The two Governments shall take all effective and permanent measures necessary in order to remove all sources and causes of frontier incidents and to secure the frontier.

Article 2

If notwithstanding the measures provided for in article 1 of this Agreement an incident occurs, the Mixed Commission shall within eight hours of receiving a summons from the frontier authority of either Contracting Party be convened at the scene of the incident to hold an enquiry.

If the incident occurred on the frontier line, the Mixed Commission shall meet in the territory of the State which issued the summons.

Article 3

The summons shall be transmitted to the other Party in writing and shall give the time, the exact place and a description of the incident, and shall state the point at which the members of the Commission summoned shall cross the frontier.

The Party issuing the summons shall ensure that the Commission of the summoned Party can cross the frontier without hindrance on production of the summons received by it.

The summoned Party shall comply with the summons.

Article 4

The Commission of each Party shall consist of three members. The necessary number of experts and assistants, not exceeding seven, may also participate in the work of each Commission.

The Chairman of the Mixed Commission shall be appointed by the Party convening the Commission.

Article 5

Before the Mixed Commission arrives at the scene, the frontier guard in whose territory the incident occurred shall take all measures necessary to preserve intact all traces, testimony and other evidence which may assist in the complete elucidation of the incident.

Article 6

The Mixed Commission shall work from sunrise to sunset at or next to the scene of the incident. If the Commission does not complete its work during the day, it shall continue to work without interruption throughout the night until the work is completed.

Article 7

The results of the Mixed Commission's work shall be recorded in a joint report, which shall be drawn up in duplicate in Serbo-Croat and Hungarian. Both texts shall be equally authentic. One copy of the report shall be exchanged between the Yugoslav and the Hungarian sections of the Commission.

Article 8

In accordance with the preceding article the Mixed Commission shall record in the joint report the facts agreed to have been found in the joint enquiry. If the Mixed Commission fails to agree on the findings of fact, the statements of both sections of the Commission shall be included in the joint report and each side shall report the points in issue to its government; the governments shall then settle the points in issue through the diplomatic channel.

Article 9

Members of a Commission shall enjoy inviolability and immunity while executing their duties in the territory of the other State.

The members of the Joint Commission shall visit the scene of the incident unarmed.

Article 10

This Agreement is concluded for an indefinite period and shall remain in force for one year after being denounced by one of the Contracting Parties.

Article 11

This Agreement is done in triplicate in Serbo-Croat and Hungarian, both texts being equally authentic, as the Plenipotentiaries have confirmed by affixing their signatures thereto.

Article 12

This Agreement shall enter into force on 13 August 1949.

Subotica, 3 August 1949.

Chairman of the delegation
of the Federal People's Republic
of Yugoslavia:
(Signed) Stevan RAUS

Chairman of the delegation
of the Republic of Hungary:
(Signed) Tibor ERSEK

[Quelle: United Nations, Treaty Series, vol. 113, 1951, p. 240-244.]