

**AGREEMENT BETWEEN THE GOVERNMENT OF THE ROMANIAN
PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE SOCIALIST
FEDERAL REPUBLIC OF YUGOSLAVIA CONCERNING THE
PROCEDURE FOR DEALING WITH CERTAIN MATTERS RELATING TO
THE REGIME OF THE ROMANIAN-YUGOSLAV STATE FRONTIER.
SIGNED AT BUCHAREST, ON 20 DECEMBER 1963**

The Government of the Romanian People's Republic and the Government of the Socialist Federal Republic of Yugoslavia, desiring to strengthen and develop co-operation in frontier matters, have decided to conclude this Agreement and have appointed for this purpose:

The Government of the Romanian People's Republic:
Major-General Vasile Petruț, Commander of the Frontier Troops;

The Government of the Socialist Federal Republic of Yugoslavia:
Dimitrije Koljković, Director in the Secretariat of the Interior,

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

Article 1

The Contracting Parties shall take the necessary measures to prevent and to deal with breaches of the frontier regulations committed on the Romanian-Yugoslav State frontier.

Article 2

A Mixed Commission, composed of a Chairman and two members from each Party, shall be established to give effect to the provisions of this Agreement.

For the frontier sectors specified in article 3 of this Agreement, each Contracting Party shall appoint a frontier commissioner and two assistant commissioners who, meeting with the frontier commissioners of the other Party, shall form sector commissions. A frontier commissioner may be replaced by either of his assistants who, in such a case, shall have all the rights of the commissioner.

Notice of the appointment of the Chairman of the two delegations to the Mixed Commission shall be exchanged through the diplomatic channel, and the Chairman of the delegations to the Mixed Commission shall notify each other in writing of the appointment of the frontier commissioners and their assistants.

Each delegation to the Mixed Commission and the frontier commissioners serving on the sector commissions may employ auxiliary personnel and the necessary number of experts.

Article 3

The Contracting Parties shall establish four frontier sectors, as follows:

Sector 1: From the frontier point common to the Romanian People's Republic, the Socialist Federal Republic of Yugoslavia and the Hungarian People's Republic (the triplex confinium frontier mark) to the Bîrzava canal (frontier mark A.194). The residence of the Romanian

frontier commissioner shall be at Jimbolia, and that of the Yugoslav frontier commissioner at Zrenjanin.

Sector 2: From the Bîrzava canal (frontier mark A.194) to the confluence of the river Nera and the river Danube (frontier mark C.309 in Romanian territory and C.311 in Yugoslav territory). The residence of the Romanian frontier commissioner shall be at Deta, and that of the Yugoslav frontier commissioner at Vršac.

Sector 3: From the confluence of the river Nera and the river Danube (frontier mark C.309 in Romanian territory and C.311 in Yugoslav territory) to and including the localities of Svinița-Donji Milanovac (river km 997). The residence of the Romanian frontier commissioner shall be at Moldova Veche, and that of the Yugoslav frontier commissioner at Veliko Gradište.

Sector 4: From the localities of Svinița-Donji Milanovac (river km 997) to the frontier point common to the Romanian People's Republic, the Socialist Federal Republic of Yugoslavia and the People's Republic of Bulgaria (the triplex confinium frontier mark). The residence of the Romanian frontier commissioner shall be at Turnu Severin, and that of the Yugoslav frontier commissioner at Kladovo.

Article 4

The following shall be considered breaches of the State frontier regulations within the meaning of the provisions of this Agreement:

- (a) Firing a weapon of any kind across the frontier;
- (b) The violation of national waters and air space;
- (c) Unauthorized crossing of the frontier by civilians or military personnel;
- (d) The displacement, impairment or destruction of frontier marks;
- (e) Causing fire to break out or to spread across the State frontier;
- (f) Other cases of non-compliance with the State frontier regulations and, in particular, those resulting in physical injury to persons or in damage to or destruction of property.

Article 5

The Mixed Commission shall have the following functions:

- (a) It shall take decisions and make recommendations for the application of the provisions of this Agreement;
- (b) It shall periodically review the activities of the frontier commissioners on the sector commissions and shall make recommendations with a view to improving their work;
- (c) It shall periodically study cases of breach of the State frontier regulations and shall determine the causes thereof and the appropriate measures to remove those causes;
- (d) It shall deal with problems which the frontier commissioners have been unable to solve in the sector commissions;

(e) At the request of either delegation to the Mixed Commission, it shall investigate in situ and deal with breaches of the State frontier regulations;

(f) It shall determine what material damage has been caused by a breach of the State frontier regulations – which has been examined in a sector commission – and shall submit proposals to the Governments regarding compensation for the damage determined;

(g) It shall submit proposals to the two Governments concerning additions or amendments to this Agreement.

Article 6

The Mixed Commission shall meet in regular annual sessions, alternately at Bucharest and at Belgrade. At each regular session, a date shall be set for the next session.

At the request of either delegation, the Mixed Commission may also meet in special sessions, which shall take place in the territory of the Party whose delegation proposed the session.

Between sessions the Mixed Commission may deal with certain matters by correspondence if the two Chairmen so agree.

Article 7

The decisions and recommendations adopted by the Mixed Commission shall be set down in a record of the session – which shall be drawn up in duplicate in the Romanian and Serbo-Croat languages – and shall be submitted to the two Governments for approval.

Matters on which the Mixed Commission fails to reach agreement shall be referred to the two Governments.

Article 8

Matters of detail concerning the activities of the Mixed Commission shall be dealt with in the "Rules of Procedure of the Mixed Commission", which shall be drawn up at its first regular session.

Article 9

The frontier commissioners, in their sectors of activity and on the sector commissions, shall have the following functions:

(a) They shall take measures to apply the provisions of this Agreement and the decisions and recommendations of the Mixed Commission;

(b) They shall endeavour to prevent breaches of the State frontier regulations;

(c) They shall investigate and deal with breaches of the State frontier regulations; they shall take the necessary measures to preserve traces and other material evidence of such offences;

(d) They shall investigate and assess damage sustained as a result of breaches of the State frontier regulations and shall submit the results of such investigations to the Mixed Commission for a decision;

(e) They shall return persons who have unintentionally crossed the frontier;

(f) They shall return domestic animals, poultry and goods which have entered the territory of the other Party as a result of force majeure or by accident.

Article 10

The activities of the frontier commissioners on the sector commissions shall be carried on at working sessions or frontier meetings at places where suitable working conditions exist or, if necessary, at the place where a breach of the State frontier regulations has been committed.

Working sessions and frontier meetings shall be held at the written invitation of the frontier commissioner of either Party. The invitation must specify the date and place of meeting and the agenda, and must contain a brief description of the cases to be discussed.

The frontier commissioner to whom the invitation is addressed shall attend the session or meeting at the time specified in the invitation. If he is unable for a good and sufficient reason to attend at the appointed time, he shall so notify the commissioner of the other Party and shall propose another time not more than three days or, in more serious cases, forty-eight hours from the date and time specified in the invitation.

Less important cases may be dealt with by correspondence unless one of the frontier commissioners proposes that they should be examined at working sessions or frontier meetings.

Article 11

Working sessions or frontier meetings shall be held, as a rule, in the territory of the Party whose frontier commissioner has convened them and shall be conducted by him.

At working sessions, the frontier commissioners shall investigate the circumstances in which a breach of the State frontier regulations was committed, examine the evidence submitted by both sides and, if necessary, hear such witnesses as are brought forward. In exceptional cases, when a working session cannot be completed the same day, it may be continued next day.

Matters requiring a simpler procedure shall be examined and dealt with at frontier meetings.

Article 12

The results of a working session or frontier meeting shall be set down in a record which shall be drawn up in two original copies, each in the Romanian and Serbo-Croat languages, both texts being equally authentic. Documents prepared in connexion with the examination of the case (sketches, photographs, expert reports, etc.) shall be annexed to the record.

If the frontier commissioners, in the sector commissions, fail to reach agreement on any matter, both opinions shall be set down in the joint record.

Article 13

The frontier commissioners shall determine, in the sector commissions, the frontier crossing points for working sessions and meetings and the points, time and procedure for the delivery and receipt of official correspondence.

Article 14

The competent frontier authorities shall make arrangements for persons who cross the State frontier unintentionally (as a result of force majeure, by losing their way or through negligence) to be returned as soon as possible, and in any case not later than forty-eight hours after being taken into custody, unless, since crossing the frontier, they have committed an offence punishable under the law of the State whose territory they have entered.

When persons who have crossed the State frontier unintentionally are returned, a record shall be drawn up in accordance with the model shown in annex No. 1 to this Agreement.

Article 15

Domestic animals and poultry which cross the frontier into the territory of the other Party shall be returned as soon as possible after they are discovered. Water craft and other objects which have entered the territory of the other Party as a result of force majeure or by accident shall likewise be returned. Delivery shall be effected at suitable places, near the point of discovery, on the basis of a certificate made out in accordance with the model shown in annex No. 2 to this Agreement.

Article 16

Personnel crossing the frontier to perform tasks arising out of the provisions of this Agreement shall do so on the basis of the following documents:

- (a) For regular sessions, members of the Mixed Commission, auxiliary personnel and experts shall cross the frontier on the basis of diplomatic or service passports;
- (b) For special sessions or other meetings held near the frontier, members of the Mixed Commission shall cross the frontier on the basis of an invitation and frontier passes, and auxiliary personnel and experts on the basis of a list signed by the Chairman of the competent delegation to the Mixed Commission;
- (c) Frontier commissioners and their assistants shall cross the frontier on the basis of an invitation and frontier passes, and auxiliary personnel and experts on the basis of a list signed by the frontier commissioner.

Article 17

The competent frontier authorities shall allow persons who are exposed to danger as a result of floods, fire or similar disasters to cross the frontier without formalities and to remain in the territory of the other Party until the danger has passed. In such situations, at the request of either Party, fire-fighting units, rescue teams and technicians of the other Party may cross the frontier without formalities at any time of the day or night.

The frontier commissioners of the two Parties shall notify each other of any persons who have crossed the frontier in the circumstances described in this article.

Article 18

Members of the Mixed Commission, frontier commissioners, their assistants, auxiliary personnel and experts shall be guaranteed, for such time as they are in the territory of the other Party to perform tasks arising out of this Agreement, personal immunity and inviolability of the official documents in their possession.

The persons referred to in the preceding paragraph shall be entitled to take with them into the territory of the other Party, without formalities and free of duty and other charges, articles necessary for their work and means of transport, on condition that they are returned, and food and tobacco for their own consumption. Each Contracting Party shall afford such persons the necessary assistance (with respect to accommodation, transport facilities, communication with their own authorities, etc.).

For such time as they are in the territory of the other Party, the persons referred to in the first paragraph of this article may wear uniform but shall not carry weapons.

Article 19

Each Contracting Party shall bear the expenses of its delegation at regular and special sessions of the Mixed Commission.

At meetings of the frontier commissioners in the sector commissions, the cost of board, lodging and transport shall be borne by the Party in whose territory the proceedings take place.

Article 20

Each delegation to the Mixed Commission shall have a seal and a rubber stamp, and the frontier commissioners a rubber stamp, in accordance with the models shown in annex No. 3 to this Agreement.

Article 21

This Agreement is subject to ratification and shall enter into force on the date of the exchange of the instruments of ratification, which shall take place at Belgrade.

The Agreement shall remain in force for a term of five years from the date of its entry into force. Unless one of the Contracting Parties gives notice, six months before the expiry of the validity of the Agreement, that it is denouncing the Agreement or wishes to amend it, the Agreement shall be extended for a further term of five years.

This Agreement has been drawn up in two original copies, each in the Romanian and Serbo-Croat languages, both texts being equally authentic.

DONE at Bucharest, on 20 December 1963.

For the Government
of the Romanian People's Republic:
Vasile PETRUȚ
Major-General

For the Government
of the Socialist Federal Republic
of Yugoslavia:

Dimitrije KOLJKOVIĆ

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