

**YUGOSLAVIA
and
AUSTRIA**

**Protocol to the Agreement concerning water economy questions in respect of the frontier sector of the Mura and the frontier waters of the Mura (the Mura Agreement).
Signed at Vienna, on 27 November 1954**

**Agreement (with annexes) concerning water economy questions in respect of the frontier sector of the Mura and the frontier waters of the Mura (the Mura Agreement).
Signed at Vienna, on 16 December 1954**

Official texts : Serbo-Croat and German.

Registered by Yugoslavia on 26 May 1961.

**YOUGOSLAVIE
et
AUTRICHE**

Protocole à l'Accord concernant les questions hydrotechniques du secteur frontalier de la rivière Moura et de ses eaux frontalières (Accord de Moura). Signé à Vienne, le 27 novembre 1954

Accord (avec annexes) concernant les questions hydrotechniques du secteur frontalier de la rivière Moura et de ses eaux frontalières (Accord de Moura). Signé à Vienne, le 16 décembre 1954

Textes officiels serbo-croate et allemand.

Enregistrés par la Yougoslavie le 26 mai 1961.

[TRANSLATION — TRADUCTION]

No. 5694. PROTOCOL¹ TO THE AGREEMENT BETWEEN THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA AND THE REPUBLIC OF AUSTRIA CONCERNING WATER ECONOMY QUESTIONS IN RESPECT OF THE FRONTIER SECTOR OF THE MURA AND THE FRONTIER WATERS OF THE MURA (THE MURA AGREEMENT).² SIGNED AT VIENNA, ON 27 NOVEMBER 1954

On the instructions of the Government of the Federal People's Republic of Yugoslavia and the Federal Government of the Republic of Austria, delegations of the two countries met in Vienna from 15 to 27 November 1954 for negotiations concerning the settlement of water economy questions in respect of the frontier sector of the Mura and the frontier waters of the Mura.

The following persons took part in the negotiations :

- As Yugoslav delegates : Dr. Fedor Bazala, Judge of the Federal Supreme court ; Milan Gagić, Engineer, Adviser to the Federal Water Economy Commission ; Lojze Kerin, Engineer, Director of the Water Economy Administration of the Slovenian People's Republic and Dr. Ivo Murko, Head of the Legal Department of the State Secretariat of National Economy of the Slovenian People's Republic ;
- As Austrian delegates : Dr. Bernhard Ramsauer, Engineer, Head of Section in the Federal Ministry of Agriculture and Forestry, Edmund Hartig, Section Head in the Federal Ministry of Agriculture and Forestry ; Dr. Arpad Knapitsch, Adviser in the Federal Ministry of Agriculture and Forestry ; Dr. Josef Huber, Adviser in the Federal Ministry of Communications and Nationalized Undertakings (Office of Water Transport) ; Dr. Rudolf Kirschläger, *Land* Court Judge, Office of the Federal Chancellery for Foreign Affairs ; Karl Fante, Engineer, Acting Counsellor in the Styria *Land* Government Office ;

As Austrian experts : Theodor Mitteregger, Engineer, Ministerial Secretary in the Federal Ministry of Agriculture and Forestry ; Dr. Alois Groiss, *Land* Government in the Federal Ministry of Agriculture and Forestry ; Dr. Herbert Moosbrugger, Senior Construction Adviser in the Styrian *Land* Government Office, Josef Velkaverh, Senior Construction Adviser, Director of the Leibnitz District Construction Office ; and, in addition, Franz Baumann, Engineer, Ministerial Adviser ad interim in the Federal Ministry of Agriculture and Forest-

¹ Came into force on 27 November 1954 by signature.

² See p. 100 of this volume.

ry, Paul Hazmuka, Acting Adviser, *Land* Construction Director in the Styrian *Land* Government Office.

Dr. Fedor Bazala, Judge of the Federal Supreme Court, alternated with Dr. Bernhard Ramsauer, Section Head, and Dr. Arpad Knapitsch, Ministerial Adviser, as Chairman.

The negotiations were concerned with the conclusion of an agreement on water economy questions in respect of the frontier section of the Mura and the frontier waters of the Mura, as the sole item on the agenda.

The two delegations carefully examined the plans and other material presented by the Yugoslav and Austrian sides and agreed to recommend to their countries the conclusion of an agreement¹ with two annexes,² the text of which is attached to this Protocol.

The two delegations recommended that after the entry into force of the Agreement a survey should be made of existing works in the frontier sector of the Mura and of the general situation in the frontier waters of the Mura.

It was also recommended that the quality of the water of the Mura at the beginning and the end of the frontier sector should be ascertained.

Lastly, in conformity with article 4 of the Statute, the delegations proposed that that the first meeting of the Mixed Commission for the Mura should be held in Yugoslavia in the spring of 1955.

This Protocol is done in the Serbo-Croat and German languages. Both texts are authentic.

Vienna, 27 November 1954.

For the delegation
of the Federal Republic
of Yugoslavia :

(Signed) Dr. Fedor BAZALA

For the delegation
of the Republic of Austria :

(Signed) Dr. Arpad KNAPITSCH

¹ See p. 100 of this volume.

² See pp. 108 and 112 of this volume.

AGREEMENT¹ BETWEEN THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA AND THE REPUBLIC OF AUSTRIA CONCERNING WATER ECONOMY QUESTIONS IN RESPECT OF THE FRONTIER SECTOR OF THE MURA AND THE FRONTIER WATERS OF THE MURA (THE MURA AGREEMENT). SIGNED AT VIENNA, ON 16 DECEMBER 1954

The Federal People's Republic of Yugoslavia and the Republic of Austria, in order to settle water economy questions in respect of the frontier sector of the Mura and the frontier waters of the Mura, have agreed as follows :

Article 1

1. Water economy questions, measures and works on the frontier sector of the Mura, and substantial effects brought about on that frontier sector by the diversion of water from the Mura basin or by pollution, which are considered to be of interest to both Contracting States, shall be dealt with by a Permanent Yugoslav-Austrian Commission for the Mura (the Mixed Commission for the Mura). The same shall apply to all tributaries of the Mura which form or intersect the frontier between the Contracting States (frontier waters of the Mura).

2. The terms of reference of the Commission shall accordingly comprise, in particular, regulation, the erection of high-water embankments, protection against flooding and ice, the utilization of water power, changes in the régime of the river, the reclamation of riparian areas, water supply, pollution by effluents, ferries and bridges.

3. The detailed terms of reference, the composition and the procedure of this Commission shall be as laid down in the Statute which is appended as annex I^a to this Agreement.

Article 2

1. The two Contracting States undertake to maintain in their existing condition, and where necessary to improve the condition of, the water installations on the frontier sector of the Mura.

2. Each Contracting State shall bear the cost of such regulation and maintenance works as are carried out in its territory. Where joint works (e.g. ditching or dredging) are carried out, the Commission shall determine the apportionment of expenses.

¹ Came into force on 9 February 1956 by the exchange of the instruments of ratification at Belgrade, in accordance with article 11.

^a See p. 108 of this volume.

3. The same principles shall apply to the frontier waters of the Mura unless the Commission decides otherwise.

Article 3

1. Construction materials and fuel transferred from the territory of one Contracting State to the territory of the other Contracting State for the execution of works under this Agreement shall be unconditionally exempt from all import and export taxes. Such construction materials and fuel shall not be subject to any import or export restrictions.

2. Equipment (machinery, vehicles, tools and the like) shall be provisionally exempt from taxes pursuant to paragraph (1) provided that the articles concerned are declared to the customs for identification and are returned within the time-limit laid down by the customs. The deposit of security for the taxes due shall not be required. Taxes be payable in respect of any articles not returned within the prescribed time-limit. Any such article which is completely worn out and thus unusable, and which is consequently returned, shall be exempted from taxes.

3. The two Contracting States guarantee to facilitate for each other the customs procedure for the transit of construction materials, fuel and equipment which are exempt from taxes.

4. Construction materials, fuel and equipment imported and exported shall be subject to customs supervision by the Contracting State concerned.

Article 4

1. The extraction of gravel and sand from sandbanks between the regulation lines for river engineering purposes shall be permitted in the frontier sector regardless of the position of such banks in the river bed, subject to prior agreement between the two engineering administrations.

2. The consent of the Commission shall be required for extraction for other purposes.

Article 5

Topographical marks on the two banks, such as triangulation marks, permanent benchmarks, and kilometre and hectometre marks, and installed water gauges shall be retained, maintained and, where necessary, augmented or renewed. Each of the two engineering administrations may use these facilities at any time. If this entails entering the territory of the other Contracting State, the engineering administration and the customs authorities must be notified in advance.