

No. 6214

**POLAND
and
CZECHOSLOVAKIA**

**Agreement (with annex and Protocol) concerning rail
traffic between the two countries. Signed at Prague, on
31 January 1958**

Official texts: Polish and Czech.

Registered by Poland on 10 July 1962.

**POLOGNE
et
TCHÉCOSLOVAQUIE**

**Accord (avec annexe et Protocole) relatif au trafic ferro-
viaire entre les deux pays. Signé à Prague, le 31 janvier
1958**

Textes officiels polonais et tchèque.

Enregistré par la Pologne le 10 juillet 1962.

[TRANSLATION — TRADUCTION]

No. 6214. AGREEMENT¹ BETWEEN THE POLISH PEOPLE'S REPUBLIC AND THE CZECHOSLOVAK REPUBLIC CONCERNING RAIL TRAFFIC BETWEEN THE TWO COUNTRIES. SIGNED AT PRAGUE, ON 31 JANUARY 1958

With a view to developing Polish-Czechoslovak co-operation in all matters relating to rail traffic, the Council of State of the Polish People's Republic and the President of the Czechoslovak Republic have decided to replace the Convention between the Polish Republic and the Czechoslovak Republic for the regulation of railway traffic between the two countries, signed at Prague on 30 May 1927,² by a new Agreement adapted to the present-day requirements of the two States and for that purpose have appointed as their plenipotentiaries :

The Council of State of the Polish People's Republic :

Ryszard Strzelecki, Minister for Transport;

The President of the Czechoslovak Republic :

Dr. František Vlasák, Minister for Transport,

who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

PART I

GENERAL PROVISIONS

Article 1

1. Rail traffic between the Polish People's Republic and the Czechoslovak Republic shall proceed by way of the rail crossings open for such traffic.

2. One of the frontier stations at each rail crossing shall serve as an interchange station at which the railway employees of the Contracting Parties shall jointly perform the operations of handing and taking over.

3. The railway administrations of the Contracting Parties shall designate by separate agreement and with the concurrence of the competent authorities :

- (a) The rail crossings and the type of traffic which is to use them;
- (b) The interchange stations.

¹ Came into force on 31 May 1958, the date of the exchange of the instruments of ratification at Warsaw, in accordance with article 25.

² League of Nations, *Treaty Series*, Vol. XCVIII, p. 233.

In designating the interchange stations, care shall be taken to ensure that the services performed by the Contracting Parties are as nearly equal as possible.

4. The Contracting Parties may perform jointly at the interchange station, in addition to the railway operations of handing and taking over, operations connected with passport, customs, veterinary and phytopathological control and such other operations as may be necessary.

5. The competent authorities of the Contracting Parties shall determine by separate agreements the interchange stations at which, and the extent to which, operations connected with passport, customs, veterinary and phytopathological control and other operations shall be performed jointly.

Article 2

Transport operations on the section of railway line between the interchange station and the State frontier (the frontier section) shall be conducted by the railway administration of the Contracting Party in whose territory the said section is situated. However, locomotives and train crews for trains on that section shall be furnished, subject to reimbursement of the cost, by the railway administration of the other Contracting Party. The method of computing the cost shall be determined by the railway administrations of the Contracting Parties.

Article 3

1. The interested administrations of the Contracting Parties and their employees shall use their own official languages in written and oral communications with one another. Exceptions to this rule may be specified in executory agreements.

2. Each Contracting Party shall endeavour to ensure that its employees serving at interchange stations and non frontier sections in the territory of the other Contracting Party know the official language of the State in whose territory the interchange station is situated, at least well enough to reach an understanding with the employees of that State in the latter's official language.

Article 4

1. Each Contracting Party shall be entitled to mark its official premises at interchange stations in the territory of the other Contracting Party with inscriptions in its official language and the coat-of-arms and colours of its own State. The inscriptions on such official premises must be so set out that the

text in the official language of the State whose employees occupy the premises precedes that in the official language of the other State.

2. Each Contracting Party shall be entitled to fly its State flag at official premises occupied in the territory of the other Contracting Party and to decorate such premises.

Article 5

1. The nationality and employment status of employees of one Contracting Party shall not be affected by their assignment to duty in the territory of the other Contracting Party.

2. The employees of each Contracting Party shall be responsible solely to their own authorities for service offences subject to administrative or disciplinary punishment which are committed in the territory of the other Contracting Party.

3. Employees of one Contracting Party serving in the territory of the other Contracting Party shall perform their duties in accordance with the laws and regulations of their own State. Their official acts shall have the same legal effects as if they had performed the said acts in the territory of their own State.

4. The railway employees of the Contracting Parties shall, however, be bound to comply with the provisions of international railway agreements to which both Contracting Parties subscribe.

5. Save as otherwise provided in this Agreement, employees of one Contracting Party serving in the territory of the other Contracting Party shall be bound to comply with the laws and regulations in force in that territory and with the orders of local authorities.

6. Employees of one Contracting Party serving in the territory of the other Contracting Party shall be exempt from all direct taxes, charges and fees levied in that territory and from all forms of public service of a personal or material nature, with the exception of those unconnected with their official employment in the territory of the other Contracting Party.

Article 6

1. Each Contracting Party undertakes to ensure that employees of the other Contracting Party at interchange stations or on frontier sections are able to perform their duties without hindrance. In the event of any action directed against such employees, the local authorities shall be bound to render any necessary assistance at their request.

2. Employees of one Contracting Party serving in the territory of the other Contracting Party shall be accorded the same legal protection as employees of the latter Party.

Article 7

1. Employees of the Contracting Parties serving at interchange stations or on frontier sections shall be required, in the interests of efficient service, to act in a manner consistent with the friendly relations existing between the two socialist States and to conduct themselves properly both on and off duty.

2. Each Contracting Party shall be bound to recall forthwith, at the request of the competent authorities of the other Contracting Party, any of its employees serving in the territory of the latter Party. A request for recall shall require no explanation.

3. Where an employee of one Contracting Party serving in the territory of the other Contracting Party is provisionally taken into custody in that territory, the authority employing him must be so informed forthwith. In such a case, the Contracting Party whose authorities made the arrest shall take the necessary steps to protect the interests of the other Contracting Party and shall, in particular, ensure that the continuity of service is not affected.

Article 8

1. Employees of one Contracting Party serving in the territory of the other Contracting Party shall be covered by social insurance in accordance with the laws of their own State. Competence in respect of such social insurance shall vest in the insurance carriers, courts and administrative authorities of that State.

2. An employee of one Contracting Party who is suddenly taken ill or meets with an accident while serving in the territory of the other Contracting Party shall be given first aid free of charge by the Party in whose territory the case has arisen.

Article 9

Employees of one Contracting Party serving in the territory of the other Contracting Party shall be entitled to wear their uniforms or service badges in that territory, both on and off duty. Such employees shall also be entitled to carry service weapons if their service regulations so provide.

Article 10

Each Contracting Party shall assign to duty in the territory of the other Contracting Party the number of employees strictly necessary to maintain service.