

No. 8369

**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.

**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. TREATY¹ 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

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 1947,² with article 2 of the Treaty of Peace between Romania and the Allied and Associated Powers, signed at Paris on 10 February 1947,³ and with article 27, paragraph 3, of the Treaty of Peace concluded at Trianon on 4 June 1920,⁴ shall be traced and marked on the ground in the manner shown in the following demarcation documents :

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

² United Nations, *Treaty Series*, Vol. 41, p. 135.

³ United Nations, *Treaty Series*, Vol. 42, p. 3.

⁴ *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