

**TREATY BETWEEN  
THE REPUBLIC OF SLOVENIA AND  
THE REPUBLIC OF CROATIA  
ON THE COMMON STATE BORDER**

The Republic of Slovenia and the Republic of Croatia (hereinafter referred to as "the Contracting Parties");

Convinced that peaceful cooperation and good neighbourly relations between the two states and their citizens are in the vital interest of both states, and that the agreements concluded thus far provide favourable conditions for the further development and strengthening of their mutual relations;

Respecting the principles of international law, in particular the inviolability of international borders and the protection of fundamental human rights and freedoms;

Proceeding from the Basic Constitutional Charter on the Independence and Sovereignty of the Republic of Slovenia of 25 June 1991 and the Constitutional Decision on Sovereignty and Independence of the Republic of Croatia of 25 June 1991;

Considering that the two states have no territorial claims towards each other;

Respecting the existing state borders;

Have agreed as follows:

## **I SUBJECT OF THE TREATY**

### **Article 1 SUBJECT OF THE TREATY**

The subject of this Treaty is the determination of the maritime boundary and the establishment of the course of border on land between the Contracting Parties, as well as the principles of demarcation, maintenance and restoration of the state border.

### **Article 2 DEFINITION OF THE STATE BORDER**

The state border between the Republic of Slovenia and the Republic of Croatia (hereinafter referred to as the "state border") is the surface perpendicular to the line of the border on the surface of the Earth dividing the territory of the two states, their air space, subsoil, and any above and underground structures and installations.

## II DETERMINATION OF THE STATE BORDER AT SEA

### Article 3 LATERAL BORDER

(1) The state border at sea between the Contracting Parties shall be determined as follows: The border shall run from the median line of the outfall of the Dragonja river into the sea from point A (Y 5.389.794, X 5.038.097;  $\varphi$  45°28'43,3",  $\lambda$  13°35'25,7")<sup>1</sup> and in a straight line to point B (Y 5.385.011, X 5.041.869;  $\varphi$  45°30'42,7",  $\lambda$  13°31'41,3"), representing one fourth of the distance between the northernmost points of the Savudrija and the Madona promontories measured from the northernmost point of the Savudrija promontory. The border shall run from point B along the parallel in the straight line through point B westwards to point C (Y 5.365.527, X 5.042.258;  $\varphi$  45°30'42,7",  $\lambda$  13°16'43,4"), located on the border determined in the Treaty between the Socialist Republic of Slovenia and the Italian Republic, signed in Osimo (Ancona) on 10 November 1975, except at the point of junction of the territorial sea of the Republic of Slovenia with the high seas, as defined in Article 4 of this Treaty.

(2) The map on a scale of 1:25,000, to which this description refers, is contained in Annex I.

(3) Where the description of the state border does not correspond to the map, the verbal description shall prevail.

### Article 4 JUNCTION OF THE TERRITORIAL SEA OF THE REPUBLIC OF SLOVENIA WITH THE HIGH SEAS

(1) The Contracting Parties agree that the sea surface limited with points C1 (Y 5.372.959, X 5.042.102;  $\varphi$  45°30'42,7",  $\lambda$  13°22'25,9"), C2 (Y 5.367.526, X 5.042.215;  $\varphi$  45°30'42,7",  $\lambda$  13°18'15,5"), T5 (Y 5.360.404, X 5.035.862;  $\varphi$  45°27'12,0",  $\lambda$  13°12'54,0") and T6 (Y 5.361.377, X 5.031.764;  $\varphi$  45°25'00,0",  $\lambda$  13°13'42,9"), shall be the high seas.

(2) The width of the junction of the territorial sea of the Republic of Slovenia with the high seas shall equal the distance from point B referred to in Article 3, Paragraph 1 of this Treaty to the Madona promontory.

(3) The map on a scale of 1:25,000, to which this description refers, is contained in Annex 1.

(4) Where the description of the state border does not correspond to the map, the verbal description shall prevail.

(5) No sovereign rights may be acquired in relation to the water column under the sea surface referred to in Paragraph 1 hereof. The Contracting Parties shall, in their mutual relations,

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<sup>1</sup> The points are given in rectangular coordinates of Zone 5 of the Gauss-Krueger projection rounded off to 1 metre and in geographic coordinates based on the Bessel ellipsoid rounded off to 0.1". The accuracy of defining the position of the points is 10 metres.

refrain from exercising sovereign rights in the seabed and the relevant subsoil under the sea surface referred to in Paragraph 1 hereof.

#### Article 5

### JUNCTION BETWEEN THE TERRITORIAL SEA OF THE REPUBLIC OF CROATIA AND THE ITALIAN REPUBLIC

(1) The Contracting Parties agree that the sea surface limited with points C (Y 5.365.527, X 5.042.258;  $\phi$  45°30'42,7",  $\lambda$  13°16'43,4"), C2 (Y 5.367.526, X 5.042.215;  $\phi$  45°30'42,7",  $\lambda$  13°18'15,5") and T5 (Y 5.360.404, X 5.035.862;  $\phi$  45°27'12,0",  $\lambda$  13° 12'54,0"), shall be the territorial sea of the Republic of Croatia.

(2) The map on a scale of 1:25,000, to which this description refers, is contained in Annex 1.

(3) Where the description of the state border does not correspond to the map, the verbal description shall prevail.

### III

### STATE BORDER ON LAND

#### Article 6

### ESTABLISHMENT OF THE STATE BORDER COURSE

(1) The state border on land between the Republic of Slovenia and the Republic of Croatia shall be the border between the Republic of Slovenia and the Republic of Croatia as parts of the former Socialist Federal Republic of Yugoslavia, running from the three-borders-point between the Contracting Parties and the Republic of Hungary to the Adriatic Sea.

(2) The state border on land between the Contracting Parties has been established as presented in the verbal description with coordinates contained in Annex II.

(3) The maps Nos. 1 to 47, on a scale of 1:25,000, referred to in the verbal description with coordinates under the foregoing paragraph are contained in Annex III.

(4) Where the description of the state border does not correspond to the map, the verbal description shall prevail.

#### Article 7

### EXCHANGE OF AREAS

(1) The Contracting Parties confirm that the exchange of areas, which occurred on the occasion of mutual establishment of the state border, is balanced.

(2) The exchange of areas shall have no effect on any rights of natural or legal entities under the law of property and law of obligations with regard to land and other immovable property, included in such an exchange. Holders of rights under the law of property and law of

obligations shall use such property in accordance with a special agreement between the Contracting Parties.

#### Article 8

#### DEMARCATION OF THE COURSE OF THE STATE BORDER

(1) The course of the state border on land shall be demarcated by joint bodies, as established by this Treaty, and in the manner defined in the instructions for joint technical groups.

(2) The Contracting Parties shall, within the period of five years after the date of entry into force of this Treaty, measure, demarcate and mark the state border.

#### Article 9

#### PRINCIPLES OF DEMARCATION OF THE STATE BORDER COURSE

(1) The demarcation of the state border in nature shall be carried out with border markers directly on the line of the border or indirectly in the following ways:

a) Single – directly on the line of the border or alternately on both sides of roads, channels and watercourses on the common state border;

b) Double – at the beginnings and ends of roads, channels and watercourses on the common state border and in locations where the terrain does not allow placing markers directly on the line of the border;

c) Triple – in cases where double border markers are not sufficient for a clear demarcation of the state border course.

(2) Detailed provisions on demarcation shall be defined in accordance with the instructions referred to in Article 8, Paragraph 1 of this Treaty.

#### Article 10

#### MAINTENANCE AND RESTORATION OF THE STATE BORDER

(1) After the demarcation of the state border in nature, the Contracting Parties engage to regularly inspect, maintain and restore border markers, in accordance with the instructions referred to in Article 8, Paragraph 1 of this Treaty.

(2) The Contracting Parties shall, in intervals not longer than five (5) years, jointly inspect the condition of the line of the border and border markers, and, if necessary, restore the demarcation of or additionally mark the state border. The five-year interval shall be calculated as of the date of the last joint restoration.

#### Article 11

#### INALTERABILITY OF THE STATE BORDER COURSE

The established line of the border shall not change even in the case of changed courses of ways, channels or watercourses on the common state border.

Article 12  
UNITY OF BORDER MARKERS

The course of the state border shall always be demarcated in a unified and unequivocal manner. The line of the border and the belt along it shall be regularly maintained and restored. Any changes of border markers and any performed activity shall be entered into documents relating to the border without delay.

Article 13  
BELT ALONG THE LINE OF THE BORDER

(1) The belt along the line of the border shall mean the area along the line of the border extending not more than 1.5 meters to both sides of the line of the border.

(2) The Contracting Parties shall regularly clear and maintain the belt along the border line, in accordance with the instructions referred to in Article 8, Paragraph 1 of this Treaty.

Article 14  
EXPENSES

The Contracting Parties shall ensure financial resources for demarcation, maintenance and restoration of the state border. The Contracting Parties shall adhere to the principle that each side shall carry out a comparable amount of work and bear a comparable amount of expenses.

Article 15  
OBLIGATIONS OF OWNERS, USERS, ADMINISTRATORS AND OTHER HOLDERS  
OF RIGHTS UNDER THE LAW OF PROPERTY AND LAW OF OBLIGATIONS

(1) Owners, users, administrators and other holders of rights under the law of property and law of obligations on land and facilities, situated on or in the proximity of the state border, shall be obliged to allow any works and measures that are necessary for the demarcation, measuring, maintenance, clearing and restoration of the state border, as well as the access of any person carrying out the said works. In performing such works the legitimate interests of owners, users, administrators and other holders of rights under the law of property and law of obligations should be taken into account, such owners, users, administrators and other holders of rights under the law of property and law of obligations having been notified in advance about the beginning of the said works.

(2) In performing the works referred to in Paragraph 1 hereof as well as in accessing or driving onto such land and towards such facilities the national legislation of the Contracting Party, on whose territory the said works are being carried out, shall be observed.

Article 16  
COMPENSATION FOR DAMAGE

Any damage resulting from the works referred to in Article 15 Paragraph 1 of this Treaty shall be refunded by the Contracting Party on whose territory such damage has occurred. In filing claims for damages, the national legislation of the Contracting Party, on whose territory such damage has occurred, shall be applied.

Article 17  
THREE-BORDERS-POINT

Works relating to the demarcation, maintenance, clearing and restoration of the three-borders-point can only be carried out by mutual agreement of the three states.

Article 18  
PROTECTION OF MARKERS

The Contracting Parties shall ensure the protection of border and geodetic markers and other equipment, used in demarcation of the state border, against damage, destruction, illicit displacement and any use, which is not consistent with their purpose.

**IV**  
**JOINT REGIMES**

Article 19  
SPECIAL REGIMES AND MEASURES IN THE BORDER AREA

(1) The Contracting Parties shall conclude special agreements on special regimes and measures in the border area, such as the use of transport connections for the needs of population and authorities of the Contracting Parties, and any other issues resulting from the established course of the state border.

(2) The Contracting Parties engage to retain at least the present level of the protection of nature along the entire course of the state border and particularly in the protected areas, such as the natural parks Krajinski park Sečovelje and Park prirode Žumberak – Samoborsko gorje, and to continue to develop mutual cooperation. The Contracting Parties shall ensure environmental regime complying with the highest environmental standards of the European Union along the entire course of the state border, and particularly in the areas intended for the development of tourism.

(3) The Contracting Parties engage to guarantee to each other the use of water sources in the border area at least to the present extent for a period of 30 years as of the date of the entry into force of this Treaty. The Contracting Parties shall conclude a special agreement on this issue within one year after the entry into force of this Treaty.

Article 20  
BENEFITS OF THE INHABITANTS OF THE SETTLEMENTS MLINI-ŠKRILE, BUŽINI  
AND ŠKODELIN

In addition to benefits provided for in the concluded agreements between the Contracting Parties, persons with permanent residence in the settlements Mlini-Škrile, Bužini and Škodelin as at the date of the signing of this Treaty, shall have:

- a) The right, when returning from the neighbouring state, to bring with them, free of customs duties and import charges, goods of such type and in such quantity as appropriate for their personal use and for the use by the members of their households;
- b) The right to acquire citizenship of the Republic of Slovenia.

**V**  
**JOINT BODIES**

Article 21  
PERMANENT SLOVENIAN-CROATIAN COMMISSION FOR THE STATE BORDER

(1) The Contracting Parties shall set up a Permanent Slovenian-Croatian Commission for the State Border (hereinafter referred to as "the Commission"), responsible for the implementation of the present Treaty.

(2) The Commission shall be composed of the delegation of the Republic of Slovenia and the delegation of the Republic of Croatia. Each Contracting Party shall appoint a chairperson and five members in its part of the Commission. The Contracting Parties shall notify each other about the appointment and dismissal of the chairperson and members of the Commission through diplomatic channels. The Chairpersons shall notify each other in writing about any changes in the composition of the delegations.

(3) Each delegation may engage experts and auxiliary staff in its work, when necessary.

(4) The Contracting Parties shall cover expenses incurred by their respective delegations in the Commission.

Article 22  
TASKS AND WORKING METHOD OF THE COMMISSION

(1) The Commission shall have the following tasks:

- a) To decide on the manner of demarcation of the line of the border in nature and adopt instructions for the work of joint technical groups;
- b) To organise and supervise the demarcation, maintenance, clearing and restoration of the entire line of the border in nature;
- c) To draw up new and supplementary documents relating to the border and enter new data in the applicable documents relating to the border;
- d) To propose any change in the course of the state border, if necessary.



- (2) The Commission shall take decisions unanimously. If the Commission fails to adopt a decision, the issue shall be submitted to the Governments of the Contracting Parties for settlement.
- (3) The working method of the Commission shall be defined in detail in its rules of procedure.

Article 23  
JOINT TECHNICAL GROUPS

The Commission shall set up joint technical groups for carrying out certain works at the state border. Their number and composition shall be determined according to the scope and type of the work to be performed.

Article 24  
DEVIATIONS

With the aim of the final demarcation of the line of the border on the spot, the Commission may deviate for not more than 50 metres from the line, determined by this Treaty, in order to adjust the state border to the local geographic and economic conditions. No important road or railway track, important water or power supply facility, or property of historical or cultural significance may be placed under the jurisdiction of the state whose jurisdiction does not derive from the delimitation determined and established by this Treaty.

**VI**  
**SETTLEMENT OF DISPUTES BETWEEN THE CONTRACTING PARTIES**

Article 25

- (1) Any potential disputes between the Contracting Parties arising from the interpretation and application of this Treaty shall be settled through negotiations in accordance with the principle of good neighbourliness.
- (2) Should the Contracting Parties be unable to reach an agreement within six months from the date of receiving the initiative for negotiations, the dispute shall be submitted to arbitration at the request of either Party.
- (3) The arbitration tribunal shall be set up on a case-by-case basis in the following manner. Each Contracting Party shall appoint two arbitrators two months after receiving the request for arbitration. The appointed four arbitrators shall then select a national of a third country who shall be appointed chairperson of the arbitration tribunal after he/she has been approved by both Contracting Parties. The chairperson shall be appointed within two months after the date of appointment of the other four arbitrators.
- (4) Should these appointments not be made within the deadlines set in Paragraph 3 hereof, either Contracting Party may, unless otherwise agreed, request the President of the

International Court of Justice to make the necessary appointments. If the President is a national of one or the other Contracting Party or if he/she cannot perform this task for any other reason, the Vice-President of the International Court of Justice shall be requested to make the necessary appointments. If the Vice-President is a national of one or the other Contracting Party or cannot perform this task for any other reason, that senior member of the International Court of Justice who is not a national of either Contracting Party shall be requested to make the necessary appointments.

(5) The arbitration tribunal shall make decisions by the majority of votes. The decisions of the arbitration tribunal shall be final and binding for the Contracting Parties. Each Contracting Party shall cover the expenses of its arbitrators and its representation in the arbitral procedure. The remaining costs shall be covered by both Contracting Parties in equal shares.

(6) The arbitration tribunal shall define the rules of the procedure, taking into consideration the provisions of this Article and the Model Rules on Arbitral Procedure drawn up by the United Nations International Law Commission.

## **VII TRANSITIONAL PROVISIONS**

### Article 26

#### TRANSFER OF THE ENTRY IN THE LAND REGISTER

The transfer of the entry of the rights under the law of property and law of obligations in the land register relating to the areas exchanged under Article 7 of this Treaty, shall be carried out *ex officio* not later than one year after the final demarcation of the state border.

### Article 27

#### EXEMPTION FROM ADMINISTRATIVE FEES

(1) The dealings of natural and legal entities relating to regulating the property relations in the areas exchanged under Article 7 of this Treaty shall be exempt from administrative fees. The scope, method and duration of this exemption shall be regulated by the Contracting Parties in a special agreement.

(2) The Contracting Parties shall ensure, free of charge, the exchange of all data, documents and other documentation relating to the areas exchanged under Article 7 of this Treaty not later than one year after the entry into force of this Treaty.

### Article 28

#### CARTOGRAPHIC DOCUMENTATION

Within one year after the entry into force of this Treaty, the Contracting Parties shall make a digital ortho photo map of the state border chart contained in Annexes II and III, which shall be applied in the event referred to in Article 6, Paragraph 4 of this Treaty.

**VIII**  
**FINAL PROVISIONS**

Article 29  
ANNEXES

Annex I (map of the state border at sea on a scale of 1:25,000), Annex II (verbal description of the course of the state border on land with coordinates), and Annex III (maps Nos. 1 to 47 on a scale of 1:25,000) are an integral part of this Treaty.

Article 30  
ENTRY INTO FORCE

This Treaty is subject to ratification in accordance with the national legislations of the Contracting Parties.

This Treaty shall enter into force on the date of the receipt of the last of the notifications by which the Contracting Parties notify each other through diplomatic channels that the conditions for the entry into force of this Treaty under their respective laws have been fulfilled.

Done in ..... on ..... in two originals in the Slovenian and Croatian languages, both texts being equally authentic.

FOR THE REPUBLIC OF SLOVENIA

FOR THE REPUBLIC OF CROATIA