

PROTOCOL
ON THE NAVIGATION REGIME
TO THE FRAMEWORK AGREEMENT ON THE SAVA RIVER
BASIN

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Pursuant to the provisions referred to in Article 10, Paragraph 6 of the Framework Agreement on the Sava River Basin (hereinafter: The Agreement), Bosnia and Herzegovina, the Republic of Croatia, Republic of Slovenia and the Federal Republic of Yugoslavia (hereinafter: The Parties) have agreed as follows:

Article 1

Navigation on the Sava River from the river kilometer 0.00 to the river kilometer 586.00, on the Kolubara River from the river kilometer 0.00 to the river kilometer 5.00, on the Drina River from the river kilometer 0.00 to the river kilometer 15.00, on the Bosna River from the river kilometer 0.00 to the river kilometer 5.00, on the Vrbas River from the river kilometer 0.00 to the river kilometer 3.00, on the Una River from the river kilometer 0.00 to the river kilometer 15.00 and on the Kupa River from the river kilometer 0.00 to the river kilometer 5.00, shall be carried out in accordance with the provisions of Article 10 of the Framework Agreement on the Sava River Basin.

Article 2

- 1) Navigation on the rivers referred to in Article 1 of this Protocol shall be carried out in accordance with the Rules of Navigation to be determined by the International Sava River Basin Commission (hereinafter: Sava Commission) and the competent authorities of the Parties.
- 2) The Rules determined by the competent authorities of the Parties shall be in accordance with the decisions of the Sava Commission.

Article 3

The Parties acknowledge equal status of all vessels in:

- a) payment of navigation and port fees, services and taxes;
- b) use of pilotage services;
- c) use of port equipment, anchorage sites, navigation locks and other vessel equipment for general use;
- d) loading and unloading vessels, embarking and disembarking persons;
- e) conducting all types of controls and issuing documents by the competent authorities; and
- f) furnishing vessels with fuel, lubricants, water and other supplies;
- g) discharging waste, wastewater and used mineral oils generated onboard vessels.

Article 4

- 1) The competent authorities of the Parties shall be in charge of customs, police and sanitary procedures and shall communicate the rules on these procedures to the Sava Commission, which shall assist in their harmonization.
- 2) The customs, police and sanitary rules pertaining to navigation on the rivers referred to in Article 1 of this Protocol shall be applied to vessels without discrimination in terms of nationality. These rules shall be of such nature so as not to hinder navigation.
- 3) Customs and border formal procedures shall be conducted at the sites designated by the competent authorities of the Parties. The Parties shall inform the Sava Commission on the location of these sites.

Article 5

The competent authorities of the Parties shall supervise navigation in a uniform manner in accordance with the decisions of the Sava Commission and national regulations of the Parties.

Article 6

- 1) In cases where both banks of the river as referred to in Article 1 of this Protocol are in the territory of one Party, that Party shall be entitled to seal the items designated for transit or put them under the supervision of the competent authorities. In addition, that Party shall be entitled to request from the master or shipper a written statement verifying whether he is transporting items prohibited for import to the respective Party, but it shall not be entitled to ban the transportation of such items. These procedures may not be used as pretext for inspection of said items or preventing and/or delaying the transit. The master or shipper who submits an incorrect statement shall be liable for it and all possible consequences in accordance with the law of the Party to which authorities the statement was given.
- 2) In cases where the river as referred to in Article 1 of this Protocol forms a border between two Parties, the vessels, persons and items in transit shall be exempted from all formal border-crossing procedures during the transit.

Article 7

In navigation, vessels may use onboard coastal equipment for navigation-related communication in the manner prescribed by the Sava Commission.

Article 8

- 1) The Parties shall mutually recognize the vessels documents and qualification documents for crew, including the boat master license.

- 2) Basic technical rules for vessels and requirements for obtaining the boat master license shall be determined by the Sava Commission.

Article 9

- 1) With the aim to provide navigation safety, the Sava Commission shall adopt annual and multi-annual plans for marking navigable waterways and carry out the activities referred to in Article 10 Paragraph 4 of the Agreement.
- 2) The Sava Commission shall establish the rules related to dimensions of the fairway in accordance with the international categorization.
- 3) In cases where the river referred to in Article 1 of this Protocol forms a border between two Parties, the manner of executing the activities and measures referred to in Article 10 Paragraph 4 of the Agreement shall be agreed between the Parties.
- 4) The Sava Commission shall establish the manner of marking the navigable waterway on the rivers referred to in Article 1 of this Protocol.

Article 10

- 1) The Sava Commission is authorized to make decisions on collecting fees for the use of the fairway on the rivers referred to in Article 1 of this Protocol as well as on the amounts and the manner of collecting such fees.
- 2) The funds obtained from the collection of the fees referred to in Paragraph 1 of this Article shall be used exclusively for financing the activities and measures referred to in Article 10 Paragraph 4 of the Agreement and shall not serve as a source of profit.

Article 11

- 1) This Protocol shall be concluded for an indefinite period of the time.
- 2) This Protocol shall be subject to ratification, acceptance or approval.
- 3) Instruments of ratification, acceptance or approval shall be lodged as soon as possible with the Depositary identified in Article 14 of this Protocol. The Depositary shall inform the Parties of the date of deposit of each instrument of ratification, acceptance or approval.
- 4) This Protocol shall enter into force on the thirtieth day after the date of deposit of the fourth instrument of ratification, acceptance or approval. The Depositary shall notify the Parties of the date of the entry into force of this Protocol.

Article 12

- 1) The provisions of the Agreement related to amendments, withdrawal and dispute settlement shall apply to this Protocol.
- 2) This Protocol may be terminated by mutual agreement of all Parties.
- 3) The Protocol shall terminate in case of the termination of the Agreement.

Article 13

No reservations may be made to this Protocol.

Article 14

- 1) One original of this Protocol shall be deposited by the Government of the Party in whose territory signing of this Protocol shall take place with the Secretary-General of the United Nations. The Secretary-General of the United Nations shall act as Depositary.
- 2) The Depositary shall, upon entry into force of this Protocol, ensure its registration in accordance with Article 102 of the Charter of the United Nations.