

No. 6881

**NETHERLANDS
and
BELGIUM**

**Treaty (with annexes) for the improvement of the connexion
between the Juliana Canal and the Albert Canal.
Signed at Brussels, on 24 February 1961**

Official texts : Dutch and French.

Registered by the Netherlands on 23 August 1963.

**PAYS-BAS
et
BELGIQUE**

**Traité (avec annexes) en vue de l'amélioration de la liaison
entre le canal Juliana et le canal Albert. Signé à
Bruxelles, le 24 février 1961**

Textes officiels néerlandais et français.

Enregistré par les Pays-Bas le 23 août 1963.

[TRANSLATION — TRADUCTION]

No. 6881. TREATY¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE KINGDOM OF BELGIUM FOR THE IMPROVEMENT OF THE CONNEXION BETWEEN THE JULIANA CANAL AND THE ALBERT CANAL. SIGNED AT BRUSSELS, ON 24 FEBRUARY 1961

Her Majesty the Queen of the Netherlands and

His Majesty the King of the Belgians,

Recognizing that it has become necessary to establish a better connexion between the Juliana Canal and the Albert Canal,

Have decided to conclude a treaty for this purpose and have appointed as their plenipotentiaries :

Her Majesty the Queen of the Netherlands :

His Excellency Jonkheer E. Teixeira de Mattos, Ambassador Extraordinary and Plenipotentiary of the Netherlands at Brussels ;

His Majesty the King of the Belgians :

His Excellency Mr. P. Wigny, Minister for Foreign Affairs,

Who, having communicated to each other their full powers, found in good and due form, have agreed as follows :

Article 1

A direct connexion between the Juliana Canal and the Albert Canal shall be established in accordance with the plan which constitutes annex I² of this Treaty.

Article 2

1. For the purpose of establishing the connexion referred to in article 1, the following works shall be undertaken :

(a) Construction, to the east of the existing twin locks at Lanaye (Ternaaien), of a lock having the following dimensions :

Usable length : 136 m ;

Usable width : 16 m ;

¹ Came into force on 7 September 1962, the day following the exchange of the instruments of ratification which took place at The Hague, in accordance with articles 12 and 13.

² See p. 192 of this volume.

Upstream level : the level of the connecting reach of the Albert Canal, viz., 57.68 m + N.A.P. (Standard Amsterdam Level) or (+ 60.00) E.M. (Belgian Staff Ordnance Survey), with vertical clearance of 7 m above that level ;

Downstream level : the storage level indicated in item (h), viz., 44.00 m + N.A.P. or (+ 46.32) E.M., with vertical clearance of 7 m above the level of 46.48 m + N.A.P. or (+ 48.80) E.M., which corresponds to the water-level indicated in item (h). The upper gate of this lock shall be aligned with the upper gate of the existing twin locks.

A bridge shall be built over the lower gate of the new lock and shall link up with another built over the connecting canal described in item (b) ;

- (b) Digging of a connecting canal extending from the existing locks and new lock at Lanaye (Ternaaien) to the southern boundary of the Maastricht enclave and having a bottom level of 39.74 m + N.A.P. or (+ 42.06) E.M. and a bottom width of 67.50 m, the said width decreasing to approximately 50 m at the junction with the Meuse (Maas) ;
- (c) Construction, in the Lanaye (Ternaaien)-Maastricht canal, of a dike to serve as the west bank of the connecting canal described in item (b) ;
- (d) Piercing of the section of the east dike of the Lanaye (Ternaaien)-Maastricht canal lying within the bed of the connecting canal described in item (b) ;
- (e) Filling of the section of the Lanaye (Ternaaien)-Maastricht canal lying between the dike referred to in item (c) and the southern boundary of the Maastricht enclave ;
- (f) Straightening of the Meuse (Maas) from the upstream side of the Eysden-Lanaye (Ternaaien) bar to the southern boundary of the Maastricht enclave, i.e. between the points designated, respectively, as km 4.150 and km 8.865, reckoned downstream from the Visé (Wezet) dam.

Concurrently with this straightening operation, which will shorten this section of the river by approximately 550 m, the cross-section shall be improved by :

Lowering the Eysden-Lanaye (Ternaaien) bar to a level of 40.50 m + N.A.P. or (+ 42.82) E.M. at km 4.300, the said bar linking up to the south with a horizontal bottom-line and to the north with a bottom-line descending, at a gradient of 24 cm per km, to 39.54 m + N.A.P. or (+ 41.86) E.M. at km 8.865 ;

Regularizing this section of the river so that, at the upstream end, the width will be 175 m at the storage level indicated in item (h) and that, below Eysden, by reason of the widening of the winter bed on the east bank, the width will gradually diminish until it is only 130 m a short distance below km 6.000, remaining unchanged to the downstream end ;

- (g) Construction of a pumping station a short distance downstream from the southern boundary of the Maastricht enclave for the purpose of supplying with water from

the Meuse (Maas) the section of the canal to the north of the filled section referred to in item (e) ;

- (h) Regularization of the section of the Meuse (Maas) lying between the southern boundary of the Maastricht enclave and the Saint-Servais (Sint-Servaas) bridge, i.e. between the points designated respectively, as km 8.865 and km 13.180, reckoned downstream from the Vizé (Wezet) dam.

This regularization will be based on :

A storage level of 44.00 m + N.A.P. or (+ 46.32) E.M. ;

At a rate of flow of 1,460 m³/sec (high water) to 1,400 m³/sec (low water) : a water-level of 46.40 m + N.A.P. or (+ 48.72) E.M. at km 8.900, of 45.63 m + N.A.P. or (+ 47.95) E.M. at km 12.100, and of 45.05 m + N.A.P. or (+ 47.37) E.M. at km 14.500 ;

At a rate of flow of 3,000 m³/sec : a maximum level of 48.80 m + N.A.P. or (+ 51.12) E.M. at km 8.900, of 47.65 m + N.A.P. or (+ 49.97) E.M. at km 12.100, and of 46.35 m + N.A.P. or (+ 48.67) E.M. at km 14.500 ;

A bottom-line descending at a gradient of 24 cm per km, from 39.54 m + N.A.P. or (+ 41.86) E.M. at km 8.865 to 38.50 m + N.A.P. or (+ 40.82) E.M. at km 13.180 ;

A width of 130 m at the aforementioned storage level, the said width increasing immediately upstream from the Saint-Servais (Sint-Servaas) bridge so as to conform to the profile at the bridge ;

- (i) Raising of the railway bridge on the Hasselt-Maastricht line so that it affords a vertical clearance of 7 m above the storage level, installation of a movable section in this bridge affording a vertical clearance of 7 m above the level of 45.12 m + N.A.P. or (+ 47.44) E.M., which corresponds to the water-level indicated in item (h), and construction in the navigable passage of the Saint-Servais (Sint-Servaas) bridge of a section which can be raised so as to afford a vertical clearance of 7 m above the level of 45.37 m + N.A.P. or (+ 47.69) E.M., which corresponds to the water-level indicated in item (h) ;
- (j) Provision of a vertical clearance of 25 m between the highest navigable water-level and the overhead electric and other lines, cables, etc. which cross the canal.

2. The Belgian Minister responsible for Bridges and Roads (Administration of Waterways) and the Netherlands Minister responsible for Public Works may, by agreement between them, authorize departures from the provisions of the preceding paragraph to be made on minor technical points in the course of execution of the works.

Article 3

1. The Belgian Government shall provide for the execution of the works referred to in article 2, paragraph 1, items (a), (b), (c), (d) and (e).

2. All specifications and invitations for tenders, and any departures, additions or modifications in respect thereof, shall be submitted by the aforementioned Belgian Minister to the aforementioned Netherlands Minister for approval.

3. The said Belgian Minister shall notify the said Netherlands Minister of all contracts awarded and of any modifications thereof.

Article 4

1. The Netherlands Government shall provide for the execution of the works referred to in article 2, paragraph 1, items (g), (h) and (i).

2. Paragraphs 2 and 3 of the preceding article shall apply, *mutatis mutandis*, to specifications, invitations for tenders, and contracts relating to the work referred to in article 2, paragraph 1, item (g).

3. The aforementioned Netherlands Minister shall communicate to the aforementioned Belgian Minister, for his information, all specifications and invitations for tenders, as well as any departures, additions, or modifications in respect thereof, relating to the works described in article 2, paragraph 1, items (h) and (i), and shall at the same time inform him of the date on which the said works are to be completed. Such date shall not be later than the latest date fixed for completion of the works referred to in article 2, paragraph 1, items (a), (b), (c), (d) and (e).

Article 5

1. The aforementioned Belgian and Netherlands Ministers shall, in consultation with each other, ensure the execution of the works described in article 2, paragraph 1, item (f), by concluding contracts with gravel-dredging firms.

2. The High Contracting Parties shall ensure, each in its own territory, that the provisions of article 2, paragraph 1, item (j), are complied with.

Article 6

1. The costs of executing the works referred to in article 2, paragraph 1, items (a), (b), (c), (d), (e) and (g), shall be apportioned between the Netherlands and Belgium at the rate of 20 per cent and 80 per cent, respectively.

2. The provisions of the preceding paragraph shall also apply to incidental costs relating to administration, the preparation of plans and invitations for tenders, the supervision of work, etc. For the purposes of this paragraph, the said incidental costs shall be fixed at 2.5 per cent of the costs of executing the works.

3. The costs of executing the works described in article 2, paragraph 1, items (h) and (i), shall be borne in their entirety by the Netherlands.