

No. 7811

**CZECHOSLOVAKIA
and
POLAND**

**Agreement concerning the use of water resources in frontier
waters (with annex). Signed at Prague, on 21 March
1958**

Official texts: Czech and Polish.

Registered by Czechoslovakia on 11 June 1965.

**TCHÉCOSLOVAQUIE
et
POLOGNE**

**Accord relatif à l'hydro-économie des eaux frontières
(avec annexe). Signé à Prague, le 21 mars 1958**

Textes officiels tchèque et polonais.

Enregistré par la Tchécoslovaquie le 11 juin 1965.

[TRANSLATION—TRADUCTION]

No. 7811. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC CONCERNING THE USE OF WATER RESOURCES IN FRONTIER WATERS. SIGNED AT PRAGUE, ON 21 MARCH 1958

The Government of the Czechoslovak Republic and the Government of the Polish People's Republic, endeavouring to strengthen friendly co-operation and mutual assistance between the two States still further, have decided to conclude this Agreement and have for that purpose appointed as their plenipotentiaries :

The Government of the Czechoslovak Republic :

Dr. Čestmír Štoll, Chairman of the Central Water Resources Administration;

The Government of the Polish People's Republic :

Mr. Janusz Grochulski, Under-Secretary of State in the Ministry of Shipping and Water Resources,

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

Article 1

This Agreement shall govern questions relating to the use of water resources in frontier waters.

Article 2

(1) For the purposes of this Agreement, the term "frontier waters" means :

- (a) Sections of watercourses along which the frontier between the two States runs and bodies of standing water intersected by the State frontier;
- (b) Surface and ground waters flowing from the territory of one State to the territory of the other, at those places where they are intersected by the State frontier.

(2) For the purposes of this Agreement, the term "questions relating to the use of water resources" refers, in particular to :

¹ Came into force on 7 August 1958, by an exchange of diplomatic notes signifying the approval of the Agreement by both Contracting Parties pursuant to their legislation, in accordance with article 14.

- (a) Technical and economic measures which bring about any change in the water régime, such as the regulation of watercourses and the building-up of vegetation cover, construction of reservoirs and flood-control dams, land reclamation and improvement affecting water resources, provision of water supply, utilization of hydraulic energy and construction relating to shipping and floating;
- (b) Discharge of flood waters, drifting of ice, pollution abatement, and conservation of natural resources in relation to the water economy.

Article 3

(1) Neither Contracting Party may, without the consent of the other Contracting Party, carry out any works in frontier waters which may affect the latter Party's water economy.

(2) The Contracting Parties shall come to agreement on the amount of water to be taken from frontier waters for domestic, industrial, power generation and agricultural requirements and on the discharge of waste water.

(3) The Contracting Parties shall come to an agreement in each particular case on what runoff ratios are to be preserved in frontier waters.

(4) The Contracting Parties have agreed to abate the pollution of frontier waters and to keep them clean to such extent as is specifically determined in each particular case in accordance with the economic and technical possibilities and requirements of the Contracting Parties.

(5) When installations discharging polluted water into frontier waters are constructed or reconstructed, treatment of the waste water shall be required.

Article 4

The Contracting Parties shall co-operate with and assist each other in drawing up joint comprehensive plans for water resources development in areas where the interests of the two States in such development coincide or interact.

Article 5

(1) The Contracting Parties shall come to agreement, within the framework of their economic plans, on the terms, type and method of financing of river training works and water-use structures and facilities on frontier waters, and on the operation and maintenance of such works, structures and facilities and their protection against floods.

(2) The Contracting Parties shall come to agreement on the manner in which projected works are to be carried out. The execution of works or portions thereof, including the preparation of plans and cost estimates, and the supply of materials, equipment and labour may be entrusted to one or both of the Contracting Parties. The Contracting Parties may also come to agreement on the manner in which the work is to be supervised. Where necessary, the Contracting Parties shall make construction site areas available to each other.

Article 6

(1) The Contracting Parties may utilize the entire width of frontier water-courses for the floating of timber.

(2) The floating of timber must not cause any damage to the water-use structures and facilities or to other structures of the other Contracting Party.

Article 7

Permission for the use of frontier waters and for the extraction of sand, gravel, stone or other materials from the beds of frontier watercourses shall be granted by the Contracting Parties in accordance with their legal provisions and under conditions agreed upon between them.

Article 8

(1) The Contracting Parties shall :

- (a) Exercise control over work carried out under this Agreement, over the diversion of water and over the extraction of material from stream beds, and shall inspect the quality of the water;
- (b) Provide each other, to the extent agreed upon, with information on observations that have been made, on the results of hydrographic measurements and on relevant hydrological research;
- (c) Provide each other with reports on high water, drifting ice and other hazards, and notify each other of water-level forecasts based on water gauges specified by agreement between them;
- (d) Exchange the texts of important legal provisions relating to the use of water resources.

(2) The Contracting Parties shall, where necessary, come to agreement on what joint steps are to be taken for the elimination or reduction of danger in the event of floods or drifting ice and on how the costs thereby incurred are to be met.

Article 9

(1) In order that the tasks arising out of the provisions of this Agreement may be carried out, each Contracting Party shall appoint a plenipotentiary and

his deputy. The plenipotentiaries may also agree on special arrangements for giving effect to this Agreement (article 3, paragraphs (2) to (4); article 5; article 7; and article 8, paragraphs (1) (c) and (2)).

(2) Meetings of the plenipotentiaries shall be held alternately in the Czechoslovak Republic and in the Polish People's Republic as a rule once a year.

(3) Meetings shall be convened and conducted by the plenipotentiary of the Contracting Party in whose territory they are held.

(4) The plenipotentiaries or their deputies may call in advisers to take part in the meetings.

(5) Proposals adopted by the plenipotentiaries and the special arrangements referred to in paragraph (1) shall not be binding until they have been approved in accordance with the law of each Contracting Party. The plenipotentiaries shall notify each other of such approval.

(6) A record of each meeting shall be prepared in duplicate in the languages of the Contracting Parties.

(7) The costs incurred in holding a meeting shall be met by the Contracting Party in whose territory the meeting is held, and the personal expenses of the participants in a meeting shall, as a rule, be met by each Contracting Party in respect of its representatives.

Article 10

The Contracting Parties shall inform each other concerning the authorities competent to carry out the tasks arising out of this Agreement. The said authorities may communicate with each other directly in giving effect to this Agreement; each authority shall use its own language in written communications.

Article 11

(1) Persons engaged in river-training work, in the maintenance and supervision of water-use structures and facilities, in measurement activities and in other activities provided for in this Agreement may cross the State frontier, subject to the conditions specified in the annex to this Agreement.

(2) Building materials, tools and instruments required for work on frontier waters and items for the personal use of the workers shall be exempt when transported across the State frontier from import and export permit requirements and from customs duties and other charges.