

1588

No. 7843

**NETHERLANDS
and
BELGIUM**

**Treaty concerning the connexion between the Scheldt
and the Rhine (with annexes). Signed at The Hague,
on 13 May 1963**

Official texts: Dutch and French.

Registered by the Netherlands on 22 June 1965.

**PAYS-BAS
et
BELGIQUE**

**Traité au sujet de la liaison entre l'Escaut et le Rhin
(avec annexes). Signé à La Haye, le 13 mai 1963**

Textes officiels néerlandais et français.

Enregistré par les Pays-Bas le 22 juin 1965.

[TRANSLATION — TRADUCTION]

No. 7843. TREATY¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE KINGDOM OF BELGIUM CONCERNING THE CONNEXION BETWEEN THE SCHELDT AND THE RHINE. SIGNED AT THE HAGUE, ON 13 MAY 1963

Her Majesty the Queen of the Netherlands and

His Majesty the King of the Belgians,

Desiring in view of the Treaty² instituting the Benelux Economic Union, to make a new contribution to the promotion of friendly co-operation between their two countries,

Wishing, in that spirit, to improve the connexion for navigation between the Scheldt and the Rhine and to settle a number of questions relating thereto,

Confirming that with regard to transport and seaports they aim at the application of the principles of the Treaty instituting the Benelux Economic Union,

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

Her Majesty the Queen of the Netherlands :

His Excellency Mr. J. E. de Quay, Prime Minister, Minister for General Affairs, and

His Excellency Mr. J. M. A. H. Luns, Minister for Foreign Affairs ;

His Majesty the King of the Belgians :

His Excellency Mr. T. Lefèvre, Prime Minister, and

His Excellency Mr. H. Fayat, Deputy Minister for Foreign Affairs,

Who, having exchanged their full powers, found in good and due form, have agreed as follows :

¹ In accordance with and subject to the provisions of article 50, the Treaty came into force on 23 April 1965, one month after the date of the exchange of the instruments of ratification, which took place at Brussels on 23 March 1965.

² United Nations, *Treaty Series*, Vol. 381, p. 165, and Vol. 480, p. 432.

CHAPTER A
DEFINITIONS

Article 1

In this Treaty :

a) " Treaty for the Union " means the Treaty signed at the Hague on 3 February 1958¹ between the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, instituting the Benelux Economic Union ;

b) " Committee of Ministers " means the Committee of Ministers instituted by article 15 of the Treaty for the Union ;

c) " Ministers " means the Netherlands Minister and the Belgian Minister referred to in article 7 of this Treaty ;

d) " Officials " means the Netherlands official and the Belgian official designated in accordance with article 7 of this Treaty ;

e) " Arbitration Board " means the Arbitration Board referred to in article 42 of this Treaty.

CHAPTER B

IMPROVEMENT OF THE CONNEXION BETWEEN THE SCHELDT
AND THE RHINE

Title I

WORKS TO BE CARRIED OUT

Article 2

In order to improve the connexion between the Scheldt and the Rhine, a navigable waterway shall be established which shall be connected near Zandvliet with the Antwerp harbour system, then run to the Eastern Scheldt, cross the latter in an approximately northerly direction, pass through the Eendracht, then cut through the Slaakdam and the Prins Hendrikpolder east of St. Philipsland and debouch into the Krammer.

Article 3

1. For the purpose of establishing the navigable waterway referred to in article 2, the following works shall be carried out :

(a) The excavation of a canal from Antwerp harbour to the Eastern Scheldt ;

¹ See footnote 2, p. 56 of this volume.

- (b) The establishment of a channel across the Eastern Scheldt ;
- (c) Enlargement of the Eendracht and improvement of the bed of that navigable waterway ;
- (d) The excavation of a canal through the Slaakdam and the Prins Hendrikpolder and the linkage of that canal with the Eendracht at one end and the Krammer at the other end ;
- (e) The construction of a system of locks between the canal mentioned in sub-paragraph (a) and the Eastern Scheldt, including the construction of holding basins ;
- (f) The construction of road and railway bridges over the navigable waterways mentioned in sub-paragraphs (a), (c) and (d) and over the system of locks referred to in sub-paragraph (e), including in each case the necessary approach ramps and road connexions ;
- (g) Improvement of existing principal dikes and construction of new dikes ;
- (h) The making of arrangements in the interest of the water economy, including the prevention of salinization and of water pollution ;
- (i) Such temporary or permanent works and arrangements as may prove necessary or desirable in connexion with or as a result of the execution of the aforementioned works, with a view to their efficient maintenance, use and operation and to the adaptation of existing conditions to the new works and the new water conditions.

2. The works referred to in the preceding paragraph shall be undertaken as soon as possible after the entry into force of this Treaty.

Article 4

In addition, depending on the progress of the operations for the closure of the Zeeland and South Holland sea inlets and not later than two years after the tidal movement in the Eastern Scheldt has become negligible, the following works shall be undertaken :

- (a) The construction of a dike along the channel across the Eastern Scheldt ;
- (b) Further enlargement of the Eendracht and the final stage of work on its banks ;
- (c) The making of further arrangements in the interest of the water economy ;
- (d) Such temporary or permanent works and arrangements as may prove necessary or desirable in connexion with or as a result of the execution of the aforementioned works, with a view to their efficient maintenance, use and

operation and to the adaptation of existing conditions to the new works and the new water conditions.

Article 5

The works referred to in articles 3 and 4 shall be carried out in accordance with the particulars given in the description of the works (annex I)¹ and the plan (annex II)² annexed to this Treaty. No departure from the said particulars shall be permitted except as provided in articles 8, 10 and 11.

Title II

PLANNING AND EXECUTION OF THE WORKS

Article 6

The High Contracting Parties shall be responsible, each in its own territory, for the planning and execution of the works referred to in articles 3 and 4, including the preparation of plans and of invitations for tenders, the acquisition of immovable property, the disposal of spoil, the purchase of materials and the award of contracts. For these purposes they shall follow the procedure customary in the country in question for the execution of similar State works.

Article 7

The Netherlands Minister responsible for Public Works and the Belgian Minister responsible for the Administration of Bridges and Roads (Administration of Waterways) shall each designate an official to manage and supervise the planning and execution of the works in Netherlands and Belgian territory respectively. The said officials shall consult together regularly on all questions of mutual interest that may arise in connexion with such planning and execution. They shall be given the necessary powers to ensure that the work proceeds satisfactorily.

Article 8

Specifications and contracts for the execution of works shall be subject to prior approval by both Ministers. In these documents, departures may be made from the particulars given in annexes I and II and from the time-limits referred to in articles 3 and 4. The two Ministers shall send each other copies of the contracts awarded.

¹ See p. 74 of this volume.

² See insert between pp. 82 and 83 of this volume.