

No. 9154

CZECHOSLOVAKIA
and
HUNGARY

Agreement concerning the establishment of a River Administration in the Rajka-Gönyü sector of the Danube (with exchange of letters). Signed at Prague, on 27 February 1968

Official texts: Slovak and Hungarian.

Registered by Czechoslovakia on 15 July 1968.

TCHÉCOSLOVAQUIE
et
HONGRIE

Accord relatif à la création de l'Administration fluviale dans le secteur du Danube compris entre Rajka et Gönyü (avec échange de lettres). Signé à Prague, le 27 février 1968

Textes officiels slovaque et hongrois.

Enregistré par la Tchécoslovaquie le 15 juillet 1968.

[TRANSLATION — TRADUCTION]

No. 9154. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC AND THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC CONCERNING THE ESTABLISHMENT OF A RIVER ADMINISTRATION IN THE RAJKA-GÖNYÜ SECTOR OF THE DANUBE. SIGNED AT PRAGUE, ON 27 FEBRUARY 1968

The Government of the Czechoslovak Socialist Republic and the Government of the Hungarian People's Republic, considering the Convention regarding the régime of navigation on the Danube, signed at Belgrade on 18 August 1948,² and the resolution adopted by the Danube Commission at its third session, held from 10 to 15 December 1950 at Galatz, have agreed, in the interests of safeguarding and improving the conditions for navigation in the Czechoslovak-Hungarian frontier sector of the Danube, to conclude an agreement concerning the establishment of a River Administration in the Rajka-Gönyü sector of the Danube.

They have for this purpose appointed as their plenipotentiaries :

The Government of the Czechoslovak Socialist Republic :

Josef Smrkovský, Minister of Forest and Water Resources;

The Government of the Hungarian People's Republic :

Imre Dégen, Chief of the General Water Resources Administration of the State,

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

Article 1

PURPOSE AND TITLE OF THE RIVER ADMINISTRATION

(1) The Contracting Parties shall establish a River Administration (hereinafter referred to as " the Administration ") in the joint Czechoslovak-Hungarian sector of the Danube between Rajka and Gönyü for the purpose of ensuring that the hydraulic works necessary for maintaining and improving the fairway are carried out and for the purpose of regulating navigation conditions.

¹ Came into force on 27 February 1968 by signature, in accordance with article 22.

² United Nations, *Treaty Series*, Vol. 33, p. 181.

(2) The Administration shall be designated :

“ Riečna administrácia v úseku Dunaja Rajka-Gönyü ” in the Slovak language;

“ Rajka-Gönyüi Dunaszakasz Folyami Igazgatóság ” in the Hungarian language.

Article 2

HEADQUARTERS OF THE ADMINISTRATION

The headquarters of the Administration shall be at Komárno in the Czechoslovak Socialist Republic.

Article 3

JURISDICTION OF THE ADMINISTRATION

The jurisdiction of the Administration shall comprise that sector of the Danube river-bed (hereinafter referred to as “ the sector ”) extending from Rajka to Gönyü between km 1850 and km 1791.

Article 4

LEGAL STATUS AND PRIVILEGES OF THE ADMINISTRATION

(1) The Administration, as a joint Czechoslovak-Hungarian organization, shall be a body corporate.

(2) The Administration shall consist of a Council (with ten members) and of a secretariat, headed by a director.

(3) The legal status and privileges of the Administration shall be governed by the Convention on the legal status and privileges of international organisations concerned with economic co-operation, signed at Warsaw on 9 September 1966.¹

Article 5

OFFICIAL LANGUAGES, SEAL AND FLAG OF THE ADMINISTRATION

(1) The official languages of the Administration shall be Czech, Slovak and Hungarian.

(2) The official seal and flag of the Administration shall be decided upon by the Council.

¹ United Nations, *Treaty Series*, Vol. 652, p. 223.

Article 6

FUNCTIONS OF THE ADMINISTRATION

- (1) The functions of the Administration shall specifically include :
- (a) The making of provisions for studies, investigations and research, for preparatory and project documentation and for the contracting for and supervision and acceptance of hydraulic works to be carried out in the sector;
 - (b) The safeguarding of navigation conditions, the establishment of navigation regulations for the sector and supervision to ensure compliance therewith;
 - (c) Determination of the amount and method of collection of navigation charges;
 - (d) The collection of navigation charges;
 - (e) The conduct of the technical, economic, administrative, legal and financial business connected with its activities.

(2) The functions of the Administration shall extend to water-management activities outside the fairway in so far as such activities have a bearing on the maintenance of the fairway and the improvement of navigation conditions; they shall not extend to flood-control or ice-control activities or the maintenance of ports and dikes.

Article 7

EXECUTION OF HYDRAULIC WORKS

(1) For the purposes of article 6, paragraph 1 (a), the term "hydraulic works" means all activities, including maintenance and dredging operations, intended to establish suitable dimensions for the fairway and to ensure the regular flow of high, mean and low water and the unimpeded movement of ice along the river-bed.

(2) The Administration shall provide for the execution of the hydraulic works in such a way that the relevant contracts are given to the competent organizations of the two States.

(3) The works for which they have been given contracts shall ordinarily be carried out by the organizations of the two States in the territory of their own State. This provision shall not apply to dredging operations or to the supply and transport of construction materials.

(4) Provision for the buoyage of the fairway and for a signal service in the sector shall be made by the Administration by means, as a rule, of its own staff and resources.

Article 8

STUDIES AND SURVEYS

The Contracting Parties shall make available to the Administration the results of previous studies and surveys which relate to the fairway and are needed by the Administration, including existing documentation on completed construction and project documentation on construction in progress or being planned. The Administration shall inform the competent organizations of the two States of the results of surveys and studies and of work carried out in the sector.

Article 9

NAVIGATION REGULATIONS

(1) The special regulations governing navigation and the safety of vessels in the sector (article 6, paragraph 1 (b)) must take account of the special nature of the sector and be in harmony with the recommendations of the Danube Commission concerning navigation.

(2) Temporary measures shall be taken by the Administration as required for safe and orderly navigation or the execution of hydraulic works. A navigation notice shall be issued by the Administration concerning such measures.

Article 10

THE COUNCIL

The activities of the Administration shall be directed by a Council, which shall be composed of a representative of the Government of the Czechoslovak Socialist Republic and a representative of the Government of the Hungarian People's Republic, who shall be appointed in accordance with the Agreement in force between the two States concerning the regulation of water-management questions relating to frontier waters.

Article 11

FUNCTIONS OF THE COUNCIL

The functions of the Council shall specifically include :

- (a) The direction and supervision of the activities of the Administration;
- (b) Approval of the staffing arrangements and wage schedules for the staff of the Administration;
- (c) Approval of the annual plan of works to be carried out in the sector as part of the comprehensive annual plan of works for the entire joint Czechoslovak-