

No. 4257

**ITALY
and
SWITZERLAND**

**Convention (with Supplementary Protocol) concerning the
regulation of Lake Lugano. Signed at Lugano, on
17 September 1955**

Official text: Italian.

Registered by Italy on 25 March 1958.

**ITALIE
et
SUISSE**

**Convention (avec Protocole additionnel) au sujet de la ré-
gularisation du lac de Lugano. Signée à Lugano, le
17 septembre 1955**

Texte officiel italien.

Enregistrée par l'Italie le 25 mars 1958.

[TRANSLATION — TRADUCTION]

No. 4257. CONVENTION¹ BETWEEN ITALY AND SWITZERLAND CONCERNING THE REGULATION OF LAKE LUGANO. SIGNED AT LUGANO, ON 17 SEPTEMBER 1955

The President of the Italian Republic and the Swiss Federal Council,

Having regard to the fact that flood waters from Lake Lugano periodically cause substantial damage in the riparian areas, and desirous of protecting such areas from further flooding so far as possible and of better controlling the level of the lake, have resolved to conclude a convention and have appointed as their plenipotentiaries :

The President of the Italian Republic :

Mr. Pietro Frosini, President of Section of the High Council of Public Works ;

The Swiss Federal Council :

Mr. Nello Celio, Councillor of State, Head of the Department of Public Works of the Canton of Ticino,

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

Article I

The High Contracting Parties agree to proceed with the regulation of Lake Lugano in accordance with the plan of September 1951 and the control regulations of August 1953, both submitted by the Federal Water Service at Berne.

Article II

1. The regulation works shall comprise :

- (a) Correction of the Lavena narrows ;
- (b) The control dam at La Rocchetta ;
- (c) Correction of the Tresa between Ponte-Tresa and Madonnone.

2. The said works shall be started within two years from the date of entry into force of this Convention.

¹ Came into force on 15 February 1958, as from the date of the exchange of the instruments of ratification at Rome, in accordance with article XIII.

Article III

1. The High Contracting Parties agree to recognize the regulation of Lake Lugano as a work of public interest. Each of the two Governments shall therefore accord with respect to its own territory the right to expropriate such land as may be necessary for the execution, operation and maintenance of the works and also any rights which may conflict therewith.

2. Land in the public domain may be occupied and used free of charge so far as may be necessary for the execution, operation and maintenance of the works.

Article IV

1. Subject to the exercise of the powers of the Mixed Supervisory Commission established under article VI of this Convention, the Canton of Ticino shall be responsible for executing the works. The Council of State of the said Canton shall appoint managerial staff for the works, make arrangements, in consultation with the Italian authorities, to publish the plans in accordance with the provisions in force in the two countries, and award contracts.

2. The High Contracting Parties undertake to make every effort to facilitate the execution of the regulation works, in particular by granting the following advantages :

- (a) The management shall enjoy the support of the competent administrative authorities of both countries ;
- (b) Personnel employed on the works shall enjoy freedom of movement on the banks of the Lavena narrows and of the Tresa. Such personnel shall, however, remain subject to all necessary measures of police and customs control ;
- (c) The two Governments shall exempt materials intended for the execution and maintenance of the works from customs duties, taxes and import and export licensing ; such materials shall, however, be declared at the competent customs house on every occasion.

Exemption shall be granted on production of a certificate issued by the Italian Ministry of Public Works for the Swiss customs and by the Department of Public Works of the Canton of Ticino for the Italian customs declaring that the material is intended solely for use in the execution and maintenance of the works provided for in this Convention.

Article V

The total cost of the works referred to in article II of this Convention, which is estimated at 4 million Swiss francs, shall be borne wholly by Switzerland. Italy,