

No. 889

**BELGIUM, FRANCE
and
LUXEMBOURG**

Arrangement concerning consultations prior to the installation in the vicinity of the frontiers of permanent stores of explosive substances for civil use. Signed at Brussels, on 8 April 1950

Official text: French.

Registered by Belgium on 8 August 1950.

**BELGIQUE, FRANCE
et
LUXEMBOURG**

Arrangement au sujet des consultations préalables à l'installation à proximité des frontières de dépôts permanents de substances explosives à usage civil. Signé à Bruxelles, le 8 avril 1950

Texte officiel français.

Enregistré par la Belgique le 8 août 1950

TRANSLATION — TRADUCTION

No. 889. ARRANGEMENT¹ BETWEEN BELGIUM, FRANCE AND THE GRAND-DUCHY OF LUXEMBOURG CONCERNING CONSULTATIONS PRIOR TO THE INSTALLATION IN THE VICINITY OF THE FRONTIERS OF PERMANENT STORES OF EXPLOSIVE SUBSTANCES FOR CIVIL USE. SIGNED AT BRUSSELS, ON 8 APRIL 1950

The Governments of the three countries, considering the difficulty encountered when they authorize the construction of stores of explosives in the immediate vicinity of one of their common frontiers, in obtaining in the frontier territory of the neighbouring country exact information comparable to that obtainable in their own territory around the site chosen for the installation;

Considering the hazards in which this situation may involve the nationals or important installations of neighbouring countries;

Considering that recourse to the normal diplomatic procedure is not practical in view of the urgent nature of the information to be obtained.

Have agreed as follows:

1. The installation at less than one kilometre from the frontier separating two of the countries concerned of a permanent store of explosive substances for civil use having a capacity of at least 500 kilogrammes shall be preceded by consultation between the competent authorities of the two countries.

This obligation shall apply:

(a) To underground stores answering the same description if the galleries of the mines in which they are installed communicate directly with mines situated on the other side of the frontier;

(b) To the increase in capacity of a store already existing if its final capacity is to exceed 500 kilogrammes.

2. The competent authority of the country on whose territory the store is installed shall be entitled to communicate directly with the competent authority of the neighbouring country and shall provide all useful information on the nature and situation of the store contemplated.

The latter shall proceed with urgency and in whatever manner it may consider suitable to undertake such enquiries as it may deem useful and shall communicate the result thereof by the same procedure.

The said competent authorities are, in alphabetical order, as follows: for Belgium, the Provincial Governor; for France, the Prefect; for the Grand-Duchy of Luxembourg, the Minister of Justice, for stores above ground, and the Minister of Mines, for underground stores.

¹ Came into force on 8 April 1950, by signature.

3. If as a result of its enquiries the country consulted should raise objections to the plan in view, the competent authorities to the two countries shall within a time-limit of less than one month, convene a meeting of a temporary joint commission empowered to conduct enquiries on both sides of the frontier to determine the choice of a site giving satisfaction to both parties or, failing that, to provide for sufficient additional safety measures.

The commission as aforesaid shall be composed of a representative of each of the two countries and if the occasion should arise a representative of the commercial undertaking concerned in the construction of the store. The result of its work, recorded in duplicate, shall be transmitted to the competent authorities of both countries. The country on account of whose objections the temporary commission of enquiry was convened shall bear the costs in connexion with the mission of the representative whom it appointed thereto.

4. In the event of an accident causing loss or damage in the territory of the neighbouring State, the agreement of the competent authorities concerning the choice of the site shall release the State which authorized the construction on its territory of the store in question from all administrative responsibility that may arise from such authorization.

The provisions of the present Arrangement shall be applicable immediately.

DONE at Brussels, in triplicate, on 8 April 1950.

For the Belgian Government:

(Signed) L. GEERAERTS

(Signed) J. HUBERTY

For the French Government:

(Signed) Comte DE HAUTECLOCQUE

For the Government of the Grand-Duchy:

(Signed) Robert ALS