

No. 5228

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**YUGOSLAVIA  
and  
BULGARIA**

**Agreement (with annex) concerning water-economy questions. Signed at Sofia, on 4 April 1958**

*Official texts: Serbo-Croat and Bulgarian.*

*Registered by Yugoslavia on 12 July 1960.*

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**YUGOSLAVIE  
et  
BULGARIE**

**Accord (avec annexe) relatif aux questions de l'hydro-économie. Signé à Sofia, le 4 avril 1958**

*Textes officiels serbo-croate et bulgare.*

*Enregistré par la Yougoslavie le 12 juillet 1960.*

[TRANSLATION — TRADUCTION]

No. 5228. AGREEMENT<sup>1</sup> CONCERNING WATER-ECONOMY QUESTIONS BETWEEN THE GOVERNMENT OF THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BULGARIA. SIGNED AT SOFIA, ON 4 APRIL 1958

The Government of the Federal People's Republic of Yugoslavia and the Government of the People's Republic of Bulgaria, in order to settle questions of water economy on rivers and tributaries followed or intersected by the State frontier, have decided to conclude an Agreement and have appointed as their plenipotentiaries :

The Government of the Federal People's Republic of Yugoslavia : Dr. Stevan Sinanović, Secretary of the Federal Water Economy Commission;

The Government of the People's Republic of Bulgaria : Nikola Marinov Ivanov, Deputy Minister for Electrification and Water Economy,

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

*Article 1*

1. The Contracting Parties undertake, pursuant to the provisions of this Agreement, to examine and resolve all questions of water economy, including measures and works which may affect the quantity and quality of the waters and which are of interest to both or either of the Contracting Parties.

2. The provisions of this Agreement shall, in so far as the Contracting Parties are interested in accordance with paragraph 1 of this article, apply to all water-economy questions, measures and works on rivers, tributaries and river basins followed or intersected by the State frontier, and in particular to :

(a) The regulation and canalization of rivers and tributaries and the maintenance of river beds;

(b) Drainage;

<sup>1</sup> Came into force on 29 December 1959, the date of the exchange of the instruments of ratification which took place at Belgrade, in accordance with article 11.

- (c) Storage and retention works;
- (d) Water supply and pipe-laying;
- (e) Protection of the waters against pollution;
- (f) The study and utilization of ground-water;
- (g) The utilization of water power;
- (h) Protection against soil erosion in forested and agricultural areas (afforestation, soil conservation, the erection of retaining-walls and silting control);
- (i) The utilization of waters for irrigation;
- (j) Hydrological, geological and other surveys and the planning, execution and use of water-economy installations and works;
- (k) The apportionment of the cost of survey, planning and construction operations and of the maintenance of installations;
- (l) The exchange of data and plans and of information on the above questions.

### *Article 2*

The Contracting Parties undertake :

- (1) Each in its own territory and jointly in the case of rivers and tributaries followed or intersected by the State frontier, to maintain in good condition the beds of rivers and of tributaries and all installations;
- (2) By agreement, to modify existing installations or to erect and maintain new installations and to initiate new works and measures in the territory of either Contracting Party for the purpose of changing the regime of rivers and tributaries followed or intersected by the State frontier.

### *Article 3*

1. The two Contracting Parties shall participate, each in proportion to the benefit accruing to it, in the maintenance of existing structures and installations on rivers and tributaries and in the erection and maintenance of new structures and installations of interest to both Parties. The apportionment of expenses and the method of payment shall be determined by agreement between the Contracting Parties.

2. The entire cost of erecting and maintaining structures and installations situated in the territory of one Contracting Party, and of works carried out in the territory of one Contracting Party, for the sole benefit of the other Contracting Party, shall be borne by the interested Party.

*Article 4*

1. Questions arising out of the provisions of this Agreement, and measures and works undertaken pursuant thereto, shall fall within the competence of the Yugoslav-Bulgarian Water-Economy Commission (hereinafter referred to as the Commission) which shall be established for this purpose. The composition, terms of reference and procedure of the Commission shall be as laid down in the Statute,<sup>1</sup> which shall constitute an integral part of this Agreement.

2. The Commission shall draw up joint regulations as necessary. The regulations so adopted shall enter into force after they have been approved by the Governments of the Contracting Parties.

*Article 5*

1. The necessary construction materials and gear for the execution of works under this Agreement, which are transferred from the territory of one Contracting Party to the territory of the other Contracting Party in accordance with the approved project estimates, shall be exempt from all taxes, customs duties and other charges and all import or export restrictions.

2. Pursuant to paragraph 1 of this article, the necessary equipment (machinery, vehicles, tools and the like) specified in the project estimates shall be provisionally exempt from taxes, customs duties and other charges provided that the articles concerned are declared to the customs authorities for identification and are returned within the time-limit laid down by the Agreement and in accordance with the legal provisions of the Contracting Parties. The deposit of security for this purpose shall not be required. The appropriate charges shall be payable in respect of any equipment and articles not returned within the prescribed time-limit. Any such equipment or articles which is completely written off or scrapped and thus rendered unusable, and which consequently cannot be returned, shall be exempted from taxes, customs duties and other charges on production of the relevant documents.

3. The two Contracting Parties guarantee to facilitate for each other the customs procedure for the transport and transit of construction materials and of gear which is exempt from taxes, customs duties and other charges.

4. Construction materials, gear, equipment and articles shall be subject to customs supervision.

5. The Commission shall determine in each individual case the extent, and the conditions for the enjoyment, of the privileges provided for in this article of the Agreement.

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<sup>1</sup> Sec p. 114 of this volume.

*Article 6*

The Contracting Parties undertake, each in its own territory, to preserve and maintain and, where necessary, to augment or adjust, such permanent benchmarks and other datum marks along the State frontier as are necessary for the purpose of regulation and other water-economy works. Each Contracting Party may use the other's datum marks. If it is necessary to cross the State frontier in order to use the said marks, the provisions of article 7 of this Agreement shall apply.

*Article 7*

For the purpose of applying and giving effect to the provisions of this Agreement, the members of the Commission and experts shall be supplied with appropriate travel documents (passports).

For the purpose of deciding upon joint measures or of carrying out joint works, such persons as either Contracting Party may designate shall meet at the State frontier at a place and time to be determined in each specific case by agreement between the competent local authorities of the Contracting Parties.

For the purpose of crossing the State frontier, the persons referred to in the preceding paragraph shall be supplied with special passes issued by the competent authorities of the Contracting Party concerned and endorsed for passage across the State frontier by the competent local authorities of the Party into whose territory the crossing is made.

Detailed provisions for the issue of special passes for crossing the State frontier shall be drawn up by the Commission and submitted to the competent authorities for approval.

*Article 8*

The frontier and local authorities of the Contracting Parties shall advise each other, by the most rapid possible means, of any danger from high water or drifting ice and of any other danger which may arise on rivers and tributaries followed or intersected by the State frontier.

*Article 9*

Questions on which the Commission fails to reach agreement shall be submitted by the Commission to the Governments of the Contracting Parties for decision.

*Article 10*

Any dispute between the Contracting Parties relating to the application and interpretation of this Agreement shall, unless the two Parties agree upon some

other mode of settlement, be submitted at the request of either Contracting Party to a commission composed of two representatives of each Party. If this commission fails to reach agreement, the dispute shall be submitted to the Governments of the two Contracting Parties for decision.

*Article 11*

This Agreement shall be ratified. The instruments of ratification shall be exchanged at Belgrade.

The Agreement shall enter into force on the date of the exchange of the instruments of ratification.

*Article 12*

The Agreement shall remain in force for a period of five years from the date of its entry into force. Unless it is denounced by either Contracting Party one year before the expiry of the five-year period, the Agreement shall remain in force for successive periods of five years.

DONE at Sofia, this fourth day of April one thousand nine hundred and fifty-eight, in two original copies, each in the Serbo-Croat and Bulgarian languages. The texts in both languages are authentic.

For the Government  
of the Federal People's Republic  
of Yugoslavia :

(Signed) Dr. Stevan SINANOVIĆ

For the Government  
of the People's Republic  
of Bulgaria :

(Signed) Nikola M. IVANOV

STATUTE OF THE YUGOSLAV-BULGARIAN WATER-ECONOMY  
COMMISSION

*Article 1*

The functions and terms of reference of the Commission shall comprise all matters placed within its competence by the Agreement concerning water-economy questions between the Government of the Federal People's Republic of Yugoslavia and the Government of the People's Republic of Bulgaria.<sup>1</sup>

Under its terms of reference, it shall be the Commission's task, in particular :

(1) To submit proposals concerning measures and works of interest to the Contracting Parties and their study from the technical and economic standpoints;

(2) To submit proposals for the investigation of problems *in situ*, the conduct of topographical surveys, studies and research operations, and the preparation of projects;

(3) To make a technical evaluation of projects submitted and to submit to the Governments of the Contracting Parties proposals for the execution of joint works or works of joint interest;

(4) To examine and submit proposals concerning the execution of joint water-economy works, structures and installations, the conditions for and method of executing the same, and the apportionment of expenses; to organize control over the completion and acceptance of jointly executed works;

(5) To ensure compliance with decisions; to organize technical supervision, the execution of measures and works of joint interest and the method of using structures and installations of joint interest;

(6) To study questions relating to joint protection against flooding and drifting ice and to the averting of other dangers, and the drafting of joint regulations in this connexion;

(7) To submit proposals for the exchange of practical experience in the field of water economy, for the exchange of hydrological, geological and meteorological data, and for the operation of the information service established to transmit particulars of water levels, drifting ice and so forth;

(8) To ensure co-operation between the water-economy authorities in the territory of the two Contracting Parties in the spirit of the Agreement concerning water-economy questions between the Government of the Federal People's Republic of Yugoslavia and the Government of the People's Republic of Bulgaria.

*Article 2*

The Commission shall consist of ten members. Each Contracting Party shall appoint five members of the Commission and each member may have an alternate. The Contracting Parties may likewise designate experts to take part in the Commission's work. Each Contracting Party shall appoint one of its members as Chairman of its own section of the Commission. The Commission may if necessary set up sub-commissions composed of its members, their alternates and experts.

<sup>1</sup> See p. 104 of this volume.

*Article 3*

The Commission shall meet in regular session twice a year. In addition the Chairman may convene special sessions by agreement. Regular sessions shall be held alternately in the territory of each Contracting Party. Each session shall be convened by the Chairman of the section of the Commission belonging to the Contracting Party in whose territory the Commission meets, in agreement with the Chairman belonging to the other Party.

*Article 4*

The Contracting Parties shall propose and confirm the agenda through the Chairmen of their respective sections of the Commission.

While the Commission is in session, the Chairmen shall preside alternately.

The official languages of the Commission shall be Serbo-Croat and Bulgarian.

The Commission may decide to examine individual questions in another language.

*Article 5*

The Commission shall record the conclusions of its sessions in a protocol which shall be signed by the Chairmen of both sections of the Commission.

The protocol shall cover both questions on which agreement has been reached and questions on which agreement has not been reached.

The protocol shall be drawn up in two copies, each in the two official languages, both texts being authentic. Each Party shall submit the protocol to its Government for approval.

*Article 6*

No decision of the Commission may be put into effect if either Government raises an objection. If no objection to a decision is raised by either Government within forty-five days after the date of signature of the protocol, the decision shall be regarded as approved by both Governments.

*Article 7*

Each Contracting Party shall defray the expenses of its own section of the Commission.

*Article 8*

This Statute is done at Sofia, this fourth day of April one thousand nine hundred and fifty-eight, in two original copies, each in the Serbo-Croat and Bulgarian languages, both texts being authentic, and constitutes an integral part of the Agreement concerning water-economy questions between the Government of the Federal People's Republic of Yugoslavia and the Government of the People's Republic of Bulgaria.

For the Government  
of the Federal People's Republic  
of Yugoslavia :

(Signed) Dr. Stevan SINANOVIĆ

For the Government  
of the People's Republic  
of Bulgaria :

(Signed) Nikola M. IVANOV