

No. 8054

**POLAND
and
UNION OF SOVIET SOCIALIST REPUBLICS**

Agreement concerning the use of water resources in frontier waters. Signed at Warsaw, on 17 July 1964

Official texts: Polish and Russian.

Registered by Poland on 25 January 1966.

**POLOGNE
et
UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES**

Accord relatif à l'hydroéconomie des eaux frontières. Signé à Varsovie, le 17 juillet 1964

Textes officiels polonais et russe.

Enregistré par la Pologne le 25 janvier 1966.

[TRANSLATION — TRADUCTION]

No. 8054. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING THE USE OF WATER RESOURCES IN FRONTIER WATERS. SIGNED AT WARSAW, ON 17 JULY 1964

The Government of the Polish People's Republic and the Government of the Union of Soviet Socialist Republics,

Desiring to regulate matters relating to the use of water resources in frontier waters in a spirit of friendship and fraternal co-operation,

Mindful of the mutual benefits of co-operation in that regard,

Have decided to conclude this Agreement and have, for that purpose appointed as their Plenipotentiaries :

The Government of the Polish People's Republic :

Janusz Grochulski, Chairman of the Central Water Resources Administration of the Polish People's Republic ;

The Government of the Union of Soviet Socialist Republics :

K. K. Shubladze, First Deputy Chairman of the State Production Committee on Irrigation Farming and Water Resources of the Union of Soviet Socialist Republics,

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

Article 1

The Contracting Parties shall co-operate closely in matters relating to the use of water resources in frontier waters along the entire Polish-Soviet State frontier.

Article 2

For the purposes of this Agreement, the term "frontier waters" means :

- (1) The surface waters referred to in article 12, paragraph 1, of the Treaty between the Government of the Polish People's Republic and the Government of the

¹ Came into force on 16 February 1965 by the exchange of the instruments of ratification at Moscow, in accordance with article 16.

Union of Soviet Socialist Republics concerning the régime of the Polish-Soviet State frontier and co-operation and mutual assistance in frontier matters, signed in Moscow on 15 February 1961,¹ hereinafter referred to as the Treaty of 15 February 1961 ;

- (2) Other surface waters intersected by the State frontier ;
- (3) Ground waters intersected by the State frontier.

Article 3

The purpose of this Agreement is to ensure co-operation between the Contracting Parties in economic, scientific and technical activities relating to the use of water resources in frontier waters, including in particular :

- (1) The regulation of frontier waters and the construction of hydraulic structures with a view to the integrated utilization of water resources ;
- (2) The regulation of flood waters and drifting ice and the regulation of low water ;
- (3) The construction of dikes, polders and water-discharge channels ;
- (4) Reclamation and the provision of water for agriculture ;
- (5) The provision of water for the general population, industry and other users ;
- (6) The augmentation of frontier water resources through the diversion of water from other basins, and the diversion of frontier waters into other basins ;
- (7) The protection of surface and ground waters against depletion and pollution ;
- (8) The joint utilization of hydraulic structures and installations and their maintenance in proper technical condition ;
- (9) The study of frontier waters for the purpose of determining their quantity and quality ;
- (10) Hydrometeorological measurements and observation and the exchange of information in this regard ;
- (11) The adjustment of matters relating to the construction of bridges and communications installations ;
- (12) The protection of watercourses and the areas adjacent to them against erosion by water.

¹ United Nations, *Treaty Series*, Vol. 420, p. 161.

Article 4

For the purposes of this Agreement :

(1) "Reclamation" means the drainage and irrigation of land through the regulation of water outflow and inflow, the construction and maintenance of fishponds, and the regulation of small rivers ;

(2) "The protection of waters against pollution" means protection against the introduction into the waters, directly or indirectly, of solid, liquid or gaseous substances and heat in such quantities as may cause physical, chemical and biological changes which limit or prevent the normal utilization of the said waters for communal, industrial, agricultural, fishery or other purposes.

Article 5

The Contracting Parties shall co-ordinate all activities capable of causing changes in the existing situation with regard to the use of water resources in frontier waters.

Article 6

The Contracting Parties shall consult each other in formulating measures and co-ordinate their plans for the development of water use in frontier waters and shall assist each other in executing the said plans ; they shall also exchange experience and information in that regard.

Article 7

The Contracting Parties shall, in particular, co-operate and exchange experience with regard to :

- (1) The designing and production of apparatus and equipment required in connexion with the use of water resources ;
- (2) The preparation of norms, standards and standardized designs for structures required in connexion with the use of water resources and the construction and operation of such structures ;
- (3) The training of staff required in connexion with the use of water resources.

Article 8

1. The Contracting Parties shall establish principles of co-operation governing the regular exchange of hydrological, hydrometeorological and hydrogeological information and forecasts relating to frontier waters and shall determine the scope, programmes and methods of carrying out measurements and observation and of processing their results and also the places and times at which the work is to be done.

2. The Contracting Parties shall take co-ordinated action with a view to the elimination or reduction of danger resulting from floods, drifting ice and other natural phenomena and shall determine the manner in which costs connected with the execution of joint works are to be met.

Article 9

1. Neither Contracting Party shall, save by agreement with the other Contracting Party, carry out any works in frontier waters which may affect the use of water resources by the latter Contracting Party.

2. All work in frontier waters relating to the regulation of rivers, the installation of new hydraulic equipment and the renovation of existing hydraulic equipment, as well as the maintenance and operation of such equipment, shall be carried out by each of the Contracting Parties on the basis agreed upon by the two Parties.

3. Pre-design work and subsequent designs for systems or structures in frontier waters shall be submitted to the other Contracting Party for approval.

4. The removal and discharge of water from frontier waters and the discharge of sewage and other water into frontier waters shall require approval in each case by the Contracting Parties.

5. The conditions governing the construction and operation of joint hydraulic installations for purposes of the use of water resources by the Contracting Parties shall be determined by means of separate agreements.

Article 10

The Contracting Parties shall jointly conduct measurements with regard to the pollution of frontier waters and shall work out common standards and norms of water purity and, if necessary, establish procedures for controlling pollution.

Article 11

The Contracting Parties shall endeavour to keep frontier waters clean, shall employ appropriate procedures for suitably purifying sewage and rendering it harmless, and shall not discharge any sewage which may cause harmful pollution of frontier waters.

Article 12

1. For purposes of the implementation of this Agreement, each Contracting Party shall appoint a Government Plenipotentiary on matters relating to the use of water resources in frontier waters, hereinafter referred to as the Plenipotentiary, and his Deputies. The number of Deputies shall be determined by each Contracting

Party. The names of the Plenipotentiaries and their Deputies shall, following each appointment, be communicated to the other Contracting Party through the diplomatic channel.

2. In addition to the functions arising out of this Agreement, the Plenipotentiaries shall, in close co-operation with the Frontier Commissioners of the Polish People's Republic and the Union of Soviet Socialist Republics, ensure the performance of such tasks relating to the use of water resources in frontier waters as arise out of the Treaty of 15 February 1961.

Article 13

1. The Plenipotentiaries or their Deputies shall, where necessary, hold discussions alternately in the territory of each Contracting Party.

2. Meetings shall be convened and presided over by the Plenipotentiary of the Contracting Party in whose territory the discussions are held or by his Deputy.

3. The Plenipotentiaries or their Deputies may establish mixed Polish-Soviet working groups to consider particular problems and may call in experts to take part in the discussions.

4. A record of each discussion shall be prepared in the Polish and Russian languages.

5. Decisions adopted by agreement between the Plenipotentiaries or their Deputies and entered in the record shall be subject to approval by the competent authorities of the Contracting Parties.

6. Costs incurred in holding meetings shall be borne by the Contracting Party in whose territory the meeting is held. The travel and subsistence costs of the Plenipotentiaries and their Deputies and experts shall be borne by each Contracting Party.

Article 14

1. Persons employed on works provided for in this Agreement may cross the State frontier in conformity with the provisions of article 2, paragraphs 6, 8 and 9, and article 3 of the Protocol¹ to the Treaty of 15 February 1961.

2. Instruments, tools, building materials, vehicles and articles of personal use may be brought with them by persons crossing the frontier, provided that—save for building materials used on the work site—they are subsequently taken back. Food and tobacco products may be brought in the quantities required for the period of the work.

¹ United Nations, *Treaty Series*, Vol. 420, p. 282.

Article 15

This Agreement is concluded for a period of five years from the date of its entry into force. It shall be automatically extended for additional periods of five years unless it is denounced by either Contracting Party not later than six months before the expiry of the current five-year period.

Article 16

This Agreement is subject to ratification and shall enter into force on the date of the exchange of the instruments of ratification, which shall take place in Moscow as soon as possible.

DONE at Warsaw on 17 July 1964, in duplicate in the Polish and Russian languages, both texts being equally authentic.

For the Government
of the Polish People's Republic :

J. GROCHULSKI

For the Government of the Union
of Soviet Socialist Republics :

K. K. SHUBLADZE
